



AZERBAIJAN LEGAL DATABASE PROJECT

FIFTH QUARTERLY REPORT JULY 2005–SEPTEMBER 2005

**Submitted 14 October 2005
By Charles Shapiro, Chief of Party
For USAID Contractor
National Center for State Courts
International Programs Division
2425 Wilson Boulevard, Suite 350
Arlington, VA 22201
www.ncsconline.org**

USAID/Caucasus/Tbilisi

**Contract Number
AEP-I-00-00-00011-00
IQC Task Order No. 810**

FIFTH QUARTERLY REPORT AZERBAIJAN LEGAL DATABASE PROJECT JULY 2005–SEPTEMBER 2005

INTRODUCTION

The United States Agency for International Development (USAID), in the summer of 2003, funded a study to assess the feasibility of having the Government of Azerbaijan (GoAZ) implement and sustain a database containing the country's framework legal documents. Based on the favorable findings in the 2003 assessment, USAID funded the Azerbaijan Legal Database Project (the Project), with the National Center for State Courts (NCSC) as the contractor.

The long-term objective of the Project is to achieve improved access to the law, by developing within the GoAZ the institutional capacity to make the country's framework legal documents readily available and easily accessible over the Internet and on CD-ROMs. Having an "official" database that contains a complete, accurate and timely collection of Azerbaijan's framework documents is critical to achieving transparency, one of the key benchmarks for a country operating under the rule of law. The designated GoAZ counterpart agencies for the Project are the Ministry of Justice (MoJ), the country's official repository of its framework legal documents, and to a lesser degree, the Office of the President.

The Project began in mid-June 2004, and was scheduled to end fifteen (15) months later. By late June 2004, NCSC had established an office in Baku. A no-cost seven (7) month extension was granted in September 2005. As a result of the extension, the Project is now scheduled to end in April 2006.

The Project's first four quarterly reports covered the Project's activities from start-up in June 2004 through 30 June 2005. This is the fifth quarterly report, and covers the period from 1 July 2005 to 30 September 2005. It contains the following three sections: Overview; Activities; and Issues.

OVERVIEW

The purpose of this "Overview" section is to provide a context to better understand the nature and scope of the Project, and the activities undertaken by NCSC to date in implementing the Project.

Under the current Constitution of Azerbaijan, adopted in November 1995, Azerbaijan's legal system is comprised of the country's normative acts. The Constitution defines the normative acts in the following hierarchy: the Constitution, Acts Adopted by Referendum, Laws Enacted by the Parliament, Presidential Decrees, Resolutions of the Cabinet of Ministers, and Ministerial Regulations. A

normative act may be amended by a subsequent normative act of equal level within the hierarchy.

The Constitution also specifies that the country's Constitutional Court has the sole power to "interpret" the normative acts. The decisions of the Constitutional Court (as well as its Supreme Court, and the other courts within Azerbaijan), however, are not normative acts. Presidential Orders and Orders of the Cabinet of Ministers are also not normative acts. However, because Presidential Orders and Orders of the Cabinet of Ministers are included in the official digest, *Toplusu*, they are treated as framework legal documents.

Each framework document has an official identification number, an issue date and an effective date. The effective date is the date of initial publication in an official newspaper (e.g., the *Azerbaijan Gazette*), unless the document expressly designates an effective date. Publication in an official newspaper usually occurs within a day or two of the issuing date. Only documents that are effective on the date of publication, however, are published in the newspaper.

Several months after the framework documents are issued, they are published in one of two official GoAZ monthly digests, *Toplusu* and the *Bullitini*. *Toplusu*, published by the Office of the President, contains the higher level framework documents (i.e., the Constitution, Laws, Presidential Decrees and Orders, and Cabinet of Ministers Resolutions and Orders), and includes both those documents published in the official newspaper and those that have not been. The *Bullitini*, published by the MoJ, contains those Ministerial Regulations that have been registered with the MoJ as normative acts. Publication of *Toplusu* and the *Bullitini* began in July 1997. The most recent published issue of *Toplusu* and the *Bullitini* is June 2005.

From July 1997 through June 2005, nearly 7,000 framework documents have been published in *Toplusu*, in slightly more than 24,300 pages. The initial issues of *Toplusu* contain the Constitution (the very first document), and those framework documents issued since the Constitution was adopted in November 1995 and subject to publication in *Toplusu*.

The volume of framework documents published in the *Bullitini* is significantly less than the volume published in *Toplusu*, as very few Ministerial Regulations are registered with the MoJ as normative acts. For the period from July 1997 through June 2005, the number of documents published in the *Bullitini* total only 624 in slightly less than 8,500 pages.

The most significant governing rules of Azerbaijan are contained in "Codes" (e.g., the Criminal Code, the Civil Code, the Land Code, etc.). There are 17 currently effective Codes. Codes are adopted by laws passed by the Parliament and approved by the President in Presidential Decrees. As such, the 17 existing Codes have the effect of law, and are critical to the Azerbaijan legal system. The Codes are also amended from time to time by new framework documents (i.e., laws passed by the Parliament and approved by the President in Presidential Decrees).

As in any legal system, there is frequently a relationship between two framework documents. For example: (1) a framework document may implement a framework document that is higher in the hierarchy of normative acts; (2) a framework document may adopt a Code; (3) a framework document may amend an existing framework

document or an existing Code, or both; (4) a framework document may repeal a framework document; etc. Amendments to an existing Code or to an existing framework document include additions, deletions, and other changes in the provisions of the Code or the framework document, respectively.

The Azerbaijan legal database, first and foremost, needs to contain the complete text of all framework documents issued under the country's new Constitution adopted in November 1995. The MoJ suggested that the database should also include all framework documents issued since independence from the Soviet Union in 1991 through the adoption of the new Constitution in November 1995, as many of these documents are still in effect. The 1991-1995 framework documents were published in the official *Information of the Supreme Council (Supreme Council)* digest, and total slightly more than 3,000 in approximately 2,800 pages. Although not part of the original Work Plan, the NCSC/Baku office agreed to include in the database the 1991-1995 framework documents published in the *Supreme Council* digest.

The text of each framework document in the database needs to be made available in text format and in image format. The image-format for each document is necessary to enable a user retrieving its text-formatted version to verify its accuracy. The database also needs to contain the text of the complete, current or updated version of each Code. Under the no-cost extension, a further enhancement to the database is the inclusion of the updated text of each framework document that has been amended.

The process of integrating amendments into an existing Code (e.g., the "Criminal Code") or into an existing framework document (e.g., the "Law on Advocacy") in order to have a complete, current version of that Code or framework document is referred to as "codifying." With respect to codified documents in the Azerbaijan legal database, the existing 17 Codes have the highest priority. Codified documents in text format have no counterpart image format.

In addition to the text and image formatted framework documents and the text formatted codified Codes and codified framework documents, the database needs to contain computer-based tools to search for and retrieve them. Given the nature and scope of the database, it is neither necessary nor desirable to have a robust search engine. Instead, the principal tool that will be made available to search for and retrieve the documents in the database is each document's associated "metadata" – that is, critical data about each document in the database, such as its subject-matter classification categories, its title, its official identification number, its issue date, its relationship to other documents, etc.

Information technology resources are required in the "workflow environment" (1) to create the contents of the database (that is, each framework document in text and image format, each codified document in text format, and a metadata record for each document), and (2) to maintain and update the database as new framework documents are issued. Information technology is also required to distribute the database and to make it accessible over the Internet and on CD-ROMs.

The NCSC/Baku office, since start-up, has been functioning as a prototype workflow environment. In this capacity, the NCSC/Baku office has been: collecting the existing body of framework documents; converting these documents to digitized format for inclusion in the database; codifying Codes; creating the metadata records for each

document; and developing the required information technology infrastructure to maintain and update the database, and to distribute the database over the Internet and on CD-ROMs.

ACTIVITIES

The three charts below provide the details for the major activities that have occurred since the Project's start-up. The charts cover, respectively: (1) database content activities; (2) information technology activities; and (3) miscellaneous activities. The third column in each chart shows the activities from start-up through June 2005 (the period covered by the first four quarterly reports). The fourth column covers the major activities that occurred in the July-September 2005 quarter (the period covered by this fifth quarterly report).

Three significant events highlight the Jul-Sep 05 quarter activities. These events were:

- USAID approved a no-cost extension of the Project;
- The NCSC/Baku office completed the development of the initial database contents; and
- BMGroup, the Project's software development subcontractor, completed the development of all required software packages.

The effect of the confluence of the three events means that the NCSC/Baku office will no longer be a prototype operation. Instead, during the extension period, it will be a production operation, with responsibility for maintaining and updating the database, and for distributing it online over the Internet and offline on CD-ROM. The production environment operation will continue until such time as the Project ends or a sustaining organization is in place, whichever occurs first.

Distribution over the Internet is now in the test phase. Once testing is completed (scheduled for October 2005), and USAID has completed the design of the USAID brand to appear on the web site and has approved the web site, live production can begin. Once that happens, the long-term objective of the Project – improved access to the law – will start to become a reality. The challenge during the extension period will be to build a user base and to have in place at the end of the Project one or more organizations to sustain the database.

1. Database Content Activities

Activity	Comments	Jun 04-Jun 05 Activities	Jul-Sep 05 Activities
1.1. Acquire <i>Toplusu</i> Monthly Volumes (1997-present, with coverage beginning in November 1995)	With the exception of the National Library, there does not appear to be a complete set of <i>Toplusu</i> available for public access in the country; there is a lag of approximately three months between issue date of a document and its publication in <i>Toplusu</i>	Acquired 62 of the 92 volumes published from July 1997 through September 2004 from the Office of the President (some months, due to size, had more than 1 volume); acquired missing 30 volumes from other sources; acquired a complete additional set; by the end of June 2005 had acquired two copies of all volumes issued to date (last published volume was Feb 05)	Acquired two copies each of the four volumes published during the quarter (Mar 05, Apr 05, May 05, and Jun 05)
1.2. Acquire <i>Bullitini</i> Monthly Volumes (1997-present, with coverage beginning in November 1995)	Substantially less volume than <i>Toplusu</i> , in terms of both pages and documents; starting with Aug 02 volume, documents are also available in text format; there is a lag of approximately three months between issue date of a document and its publication in the <i>Bullitini</i>	No activity through December 2004; in the Jan-Mar 05 quarter, MoJ agreed to provide all years; by the end of June 2005, MoJ had delivered all volumes for years 1997, 1998, 1999, 2000 2001 and 2002, and had provided all text-formatted files for documents published from November 2002	MoJ provided volumes for years 2003, 2004, and those published to date in 2005 (Jan 05, Feb 05, Mar 05, Apr 05, May 05, and Jun 05)

1.3. Acquire <i>Supreme Council</i> Volumes (1991-1995, with coverage ending in November 1995)	Although not part of the original Work Plan, “highly desirable” to included these documents in the database; issued in Azeri Cyrillic and Russian (only need to include Azeri version); volume of documents and number of pages are not substantial	No activity through December 2004; in the Jan-Mar 05 quarter, MoJ recommended that the database be enhanced to include these documents; agreed to include them as the volume was relatively small and many are still in effect; by the end of June 2005, MoJ had (a) delivered all but 3 of the volumes published in 1991 (the 3 missing volumes were Vol. 11 covering the last half of February, Vol. 11 covering the last half of June, and Vol. 23 covering the first half of December), (b) delivered all 12 volumes covering the first half of 1992, and (c) assisted in obtaining from the Parliament the 12 volumes covering the last half of 1992, and the 24 volumes covering the year 1993	MoJ assisted in obtaining from the Parliament 21 or the 24 volumes covering the year 1994 (the 3 missing volumes were Vol. 5 and Vol. 6 covering all of March, and Vol. 10 covering the last half of May); and all volumes covering 1995; the National Library provided two of the three missing volumes from 1991 (Vol. 11 and Vol. 23, but with 5 documents cut out of Volume 11) and the 3 missing volumes for 1994; tried but unsuccessful to locate hard-copy source for the missing 46 documents published in Vol. 4 1991, and for the missing 5 documents published in Vol. 11 1991 ¹															
1.4. Convert Framework Documents to Image Format	Requires one image file for each page in each document, and one file for each document; each page is a PNG file at a resolution of 96 dots per inch; each document combines its associated pages into a MS Word file	Established specifications (e.g., resolution, file format, etc.); by the end of June 2005, had completed the conversion of nearly 6,800 total documents containing approximately 26,000 pages – all <i>Toplusu</i> documents from Jul 97-Feb 05 (nearly 6,550 documents in approximately 23,000 pages), and all <i>Bullitini</i> documents for years 1997-2000 (240 documents in approximately 3,200 pages)	Added slightly more than 3,600 documents in image format containing approximately 9,000 pages; the following table shows by publication source the number of documents (Docs) and number of pages that have been converted to image format as of 30 September 2005 <table><tr><th>Publication</th><th>Docs</th><th>Pages</th></tr><tr><td><i>Toplusu</i></td><td>6,803</td><td>23,903</td></tr><tr><td><i>Bullitini</i></td><td>591</td><td>8,249</td></tr><tr><td><i>Supreme Council</i></td><td>3,009</td><td>2,811</td></tr><tr><td>Total</td><td>10,403</td><td>34,963</td></tr></table>	Publication	Docs	Pages	<i>Toplusu</i>	6,803	23,903	<i>Bullitini</i>	591	8,249	<i>Supreme Council</i>	3,009	2,811	Total	10,403	34,963
Publication	Docs	Pages																
<i>Toplusu</i>	6,803	23,903																
<i>Bullitini</i>	591	8,249																
<i>Supreme Council</i>	3,009	2,811																
Total	10,403	34,963																

¹ Thus, no hard-copy source appears to be available for 51 of the framework documents published in the *Supreme Council* digest in 1991

			Note: The conversion to image format is complete except for 169 documents in 421 pages published in the May 05 and Jun 05 <i>Toplusu</i> digests, 33 documents in 236 pages published in Jan 05-June 05 <i>Bullitini</i> digests, and 51 documents (number of pages unknown) published in the missing 1991 <i>Supreme Council</i> digests (see Item 1.3, above); conversion of the remaining 169 <i>Toplusu</i> documents and 33 <i>Bullitini</i> documents is in progress
1.5. Convert Framework Documents to Text Format	Requires one file for each document; each file is a MS Word file, with the text in Azeri Latin Unicode Palatino Linotype font at a minimum accuracy level of 99.9%	Established specifications (e.g., font, accuracy level, etc.); through last quarter (Apr-Jun 05) had completed conversion of all 6,547 documents published in <i>Toplusu</i> from July 1997 through February 2005, and all 240 documents published in the <i>Bullitini</i> for years 1997 through 2000; text accuracy level is approximately 99.95% (substantially higher than the minimum of 99.9%)	Added slightly more than 3,600 documents (same as for conversion to image format); see the chart and note in Item 1.4, above, for the number of documents by publication source that have been converted to text format and those whose conversion is in progress
1.6. Create and Update Codified Codes	Requires one file for each of the 17 currently effective Codes; each file is a MS Word file	Established structure and format, using the Land Code as a “model”; by the end of June 2005, had completed the codification of 16 of the 17 Codes (the exception was the Housing Code), with all Codes current through June 2005; the Codes were completed in the following order: Land; Family; Civil Procedure;	Updated the 16 existing Codes and completed the Housing Code ² , with all Codes current through 30 September 2005; several of the Codes had numerous amendments during the quarter; the following table shows by Code, the number of Articles (Art’s) and the number of amendments (Amd’s) to it as

² the Housing Code presented some problems as the law adopting the Code was issued in 1982 and some amendments to it were issued prior to the publication of *Toplusu*; MoJ assisted in obtaining the text of the Housing Code as initially adopted and the pre-*Toplusu* publication amendments to it

		Civil; Timber; Execution of Penalties; Election; Labor; Criminal Procedure; Criminal; Custom; Tax; Misdemeanor; Water; Trade Shipping; see the next column for current status	of the end of this quarter <table><tr><th>Title</th><th>Art's</th><th>Amd's</th></tr><tr><td>Land</td><td>113</td><td>28</td></tr><tr><td>Family</td><td>195</td><td>8</td></tr><tr><td>Civil Procedure</td><td>477</td><td>50</td></tr><tr><td>Civil</td><td>1325</td><td>220</td></tr><tr><td>Timber</td><td>80</td><td>3</td></tr><tr><td>Execution of Penalties</td><td>182</td><td>13</td></tr><tr><td>Election</td><td>246</td><td>61</td></tr><tr><td>Labor</td><td>317</td><td>40</td></tr><tr><td>Criminal Procedure</td><td>521</td><td>175</td></tr><tr><td>Criminal</td><td>353</td><td>88</td></tr><tr><td>Custom</td><td>450</td><td>68</td></tr><tr><td>Tax</td><td>221</td><td>419</td></tr><tr><td>Misdemeanor</td><td>458</td><td>129</td></tr><tr><td>Water</td><td>105</td><td>7</td></tr><tr><td>Trade Shipping</td><td>335</td><td>0</td></tr><tr><td>Air</td><td>155</td><td>4</td></tr><tr><td>Housing</td><td>149</td><td>101</td></tr></table>	Title	Art's	Amd's	Land	113	28	Family	195	8	Civil Procedure	477	50	Civil	1325	220	Timber	80	3	Execution of Penalties	182	13	Election	246	61	Labor	317	40	Criminal Procedure	521	175	Criminal	353	88	Custom	450	68	Tax	221	419	Misdemeanor	458	129	Water	105	7	Trade Shipping	335	0	Air	155	4	Housing	149	101
Title	Art's	Amd's																																																							
Land	113	28																																																							
Family	195	8																																																							
Civil Procedure	477	50																																																							
Civil	1325	220																																																							
Timber	80	3																																																							
Execution of Penalties	182	13																																																							
Election	246	61																																																							
Labor	317	40																																																							
Criminal Procedure	521	175																																																							
Criminal	353	88																																																							
Custom	450	68																																																							
Tax	221	419																																																							
Misdemeanor	458	129																																																							
Water	105	7																																																							
Trade Shipping	335	0																																																							
Air	155	4																																																							
Housing	149	101																																																							
1.7. Create and Update Codified Framework Documents	Framework documents, similar to Codes, are amended from time to time; although not a “must” requirement, it is “highly desirable” to include codified framework documents in the database	MoJ recommended that database be enhanced to include codified framework documents; as of June 2005, no activity as not part of original Work Plan and insufficient personnel resources	As a result of USAID approval of the Project extension, which included undertaking this activity, recruited and hired 4 temporary legal editors in September; codification work in progress, with projected completion in January 2006; database, however, can be released without having codified framework documents																																																						

1.8. Create and Verify Metadata Records	Requires one metadata record for each framework document and each codified Code; requires metadata record be verified for accuracy and approved	Established metadata record fields; developed prototype metadata input form using MS Access software; by the end of June 2005, had completed metadata records for nearly 7,300 framework documents, and had approved nearly 5,100	Added approximately 2,500 metadata records (bringing the total created to nearly 9,800 of the 10,400 documents that are in text and image format), and verified an additional 3,900 records (bringing the total verified to approximately 9,000 of the 9,800 that have been created)
1.9. Track new Framework Documents Published in the <i>Azerbaijan Gazette</i>	Only framework documents that are effective on date of publication are published in this newspaper, with the rest not available to the public until published in <i>Toplusu</i> ; those that are available in the newspaper are also made available on the <i>Azerbaijan Gazette</i> web site, and hence are available in text format	Recorded the following number of framework documents published in the <i>Azerbaijan Gazette</i> , starting in August 2004: <ul style="list-style-type: none"> • 30 – Aug 04 • 58 – Sep 04 • 79 – Oct 04 • 43 – Nov 04 • 48 – Dec 04 • 48 – Jan 05 • 46 – Feb 05 • 91 – Mar 05 • 35 – Apr 05 • 28 – May 05 • 40 – Jun 05 	Recorded the following number of framework documents published in the <i>Azerbaijan Gazette</i> in this quarter: <ul style="list-style-type: none"> • 59 – Jul 05 • 70 – Aug 05 • 52 – Sep 05
1.10. Create CD-ROM Version of <i>Toplusu</i>	As the National Library in Baku appears to be the only public or governmental institution in Azerbaijan, including the Office of the President, that has a complete set of <i>Toplusu</i> , a CD-ROM version,	Compiled the image-formatted documents for <i>Toplusu</i> Year 2000 on one CD-ROM as a “model” (nearly 900 documents in close to 5,000 pages) with a text-formatted Table of Contents hyperlinked to each document; based on the model, compiled a separate annual 1997-2004 CD-ROM <i>Toplusu</i> image product (covered the period July 1997 through September 2004); in the Jan-Mar 05 quarter,	Updated the CD-ROM image <i>Toplusu</i> product to include Jan 05 through Apr 05 volumes; distribution to existing organizations that have earlier years (MoJ, Office of the President, ABA-CEELI, and NDI) has not yet occurred as still awaiting USAID approved design for “branding” (see Item 3.9, below)

	generated as a by-product of the database, serves the public interest	provided a complete set to the MoJ and the Office of the President; in the last quarter (Apr-Jun 05) (a) updated the product to include all of year 2004, (b) provided updated 2004 CD-ROM to the MoJ and the Office of the President, and (c) provided 8 complete sets to ABA-CEELI for installation on computers in its Baku research center and in its 7 regional public access offices, and 1 complete set to NDI for installation on its computers in its Samgait public access office	
--	---	---	--

2. Information Technology Activities

Activity	Comments	Jun 04-Jun 05 Activities	Jul-Sep 05 Activities
2.1. Operate the NCSC/Baku Office as a Prototype Workflow Environment	Necessary to acquire experience and knowledge base to develop the technology required to enable personnel in the ultimate workflow environment to create new database content, to update and maintain the database, and to distribute the database over the	Established office; hired workflow environment personnel, to include (a) editors to create content in text and image format, to codify Codes, and to create and verify metadata records, and (b) information technology advisor; created prototype input form for metadata using MS Access software; created database content (see discussion above under "Database Content Activities")	Continued to operate NCSC/Baku office as a prototype facility, with the focus on adding new content to the database (see discussion under "Database Content Activities", above), and on developing the required information technology infrastructure (see discussion in Items 2.2 through 2.10, below)

	Internet and on CD-ROMs		
2.2. Assess Technology Requirements	Critical to have an assessment of the current situation with respect to all technical requirements to achieve the Project's long-term objective of improved access to the law	NCSC consultant John Sherman completed a report in early July 2004 that focused on the broader strategic issues; during the same timeframe NCSC consultant Kazimierz Lobaza, completed a report that dealt with software and hardware specifications; the two reports together (a) provided the overall technology requirements to support the prototype workflow environment, and (b) provided a framework for assessing the technology requirements to support a future production workflow environment ³	NCSC consultant John Sherman completed as assessment of the "Information and Communications Technology (ICT) Requirements of a Sustaining Organization" ⁴ ; this document provides a methodology for evaluating organizations that are candidates to sustain the database in terms of their technical capacity
2.3. Assess Workflow Environment and Document Activities	Critical to document required workflow activities	NCSC consultant Ken Yates completed two studies – one in November 2004, and the second in late December 2004 – that focused on general workflow activities and the specific software required to support these activities, that documented the activities in the NCSC/Baku office prototype environment, and that set forth the activities and the training requirements necessary in a "model" workflow environment; the manual workflow activities in the MoJ were also documented in early January 2005 for comparison to the model environment ⁵	No specific activity; continued to monitor workflow user activities

³ Both Mr. Sherman's report and Mr. Lobaza's report were submitted as attachments to the First Quarterly Report

⁴ Mr. Sherman's report is attached hereto as Attachment I

⁵ Both of Mr. Yates' reports and the MoJ documentation were submitted as attachments to the Second Quarterly Report

2.4. Design a Training Program for Workflow Environment Users	Critical to develop a training program to assure that Workflow Users will have the skills and knowledge base to maintain and update the database	NCSC consultant Ken Yates, in May 2005, developed and delivered a comprehensive "Workflow Training Program Design"; this document provides the basis for assuring that the Workflow Users in the sustaining organization will have the requisite skills and knowledge base to maintain and update the database ⁶	Used training program design to train new workflow users in various tasks
2.5. Analyze System Design Database	The logical step following documentation of workflow activities (see Item 2.3, above) is the development of the software requirements to maintain and update the database, and to distribute it over the Internet and on CD-ROM	The first study completed by NCSC consultant Ken Yates in November 2004 (see Item 2.3, above) set forth in detail a proposed design for the database; numerous modifications and refinements were made after the study was submitted; the result of the study, with its modifications and refinements, was the technical specifications that formed the basis for a Request for Proposal (RFP) for software development issued in January 2005 ⁷ ; based on the beta version of the software developed for maintaining and updating the database (see Item 2.8, below), minor modifications and refinements were incorporated into the database design	No major activity; incorporated minor modifications and refinements into the database design
2.6. Software Development RFP	Need to develop software to support workflow users in maintaining and	Issued the RFP in January 2005; advertised the RFP in two local newspapers; evaluated the six responses in February 2005 (two separate evaluations – one by the NCSC/Baku	No activity (see Items 2.8 and 2.9, below, for discussion of software development activities)

⁶ Mr. Yates' report was submitted as an attachment to the Fourth Quarterly Report

⁷ The RFP was submitted as an attachment to the Second Quarterly Report

	updating the database in a production environment, and to permit users to access the database over the Internet and on CD-ROM	office staff, and the other by consultant Ken Yates); based on the evaluations, determined in March 2005 that the proposal submitted by the BMGroup was the best; conducted due diligence in March 2005; and awarded the software development contract to BMGroup in March 2005 (contract executed on 4 April 2005) ⁸	
2.7. NCSC/Baku Office Technology Upgrade	Need to upgrade workflow prototype environment in anticipation of software development, and in preparation to transition from prototype environment to production environment	During the Oct-Dec 04 quarter, upgraded NCSC/Baku office technology by installing on its office network (1) MS Small Business Edition software (this software package includes MS SQL, MS Exchange Server, and MS ISA Server), and (2) a more robust anti-virus software package; minor upgrades continued during the last quarter (Apr-Jun 05)	Procured (1) multiple CD-ROM simultaneous manufacturing hardware (up to 7 CDs), (2) CD-ROM label printing hardware, and (3) scanner hardware to convert hard-copy documents to image format; also obtained at no cost a copy of BMGroup's "Fine Reader" software that has been enhanced by BMGroup to convert Azeri text in image format to Azeri Latin text in text format
2.8. Develop Software for Maintaining and Updating the Database	The RFP (see Item 2.6, above) required two software packages to be developed – (1) Database Management software (DBM), and (2) Content Management System software (CMS)	During the last quarter (Apr-Jun 05), subcontractor BMGroup completed the development and installation of the DBM and CMS software; during testing phase, certain modifications were made and implemented; NCSC consultant Ken Yates provided technical assistance in the testing of the software and delivered a report documenting his activities ⁹ ; converted existing prototype database content (text files, image files, codified Codes, and metadata records) to the	Minor modifications were made to the DBM and CMS software; Contracting Officer approval was obtained for initial subcontract and for add-on work undertaken by BMGroup to incorporate required modifications to the two software packages

⁸ BMGroup's "Technical Approach and Work Plan", "Cost Proposal" and "Subcontract" were submitted as attachments to the Third Quarterly Report

⁹ Mr. Yates' report was submitted as an attachment to the Fourth Quarterly Report

		new software	
2.9. Develop Software for Accessing the Database	The RFP (see Item 2.6, above) required two software packages to be developed – (1) Public User Interface software for Internet access (PUI/INT), and (2) Public User Interface software for CD-ROM access (PUI/CD)	By the end of June 2005, development was in progress	BMGroup completed the development of both the PUI/INT and PUI/CD software, with internal testing in progress at the close of the quarter; both packages have the exact same “look and feel” to a user, although they have different underlying software; minor modifications and adjustments were incorporated into both packages prior to completion; the text for both packages are in Azeri; context-sensitive “Help” messages and user “Reference Materials” were created in English, translated into Azeri and incorporated into the two packages ¹⁰
2.10. Provide Public User Access to the Database over the Internet and on CD-ROM	Need to engage a third party vendor to provide database hosting services on a 24 hour a day, 7 day a week basis for Internet access; need to distribute the database on CD-ROM on a periodic basis	During last two quarters (Jan-Mar 05, and Apr-Jun 05), met with several potential Internet hosting vendors to assess capabilities and costs	Continued discussion with potential vendors; NCSC consultant John Sherman provided technical assistance in evaluating candidates based on “Terms of Reference for an Internet Service Provider (ISP)” ¹¹ , and in negotiating terms and conditions with the selected vendor; the winning vendor, ADanet, however could not provide all required firewall security and as a result selected Baki Telekom (BakTel) as the ISP; entered into a short-term service agreement with BakTel to provide required services; procured server for hosting the database on the Internet

¹⁰ The English-language versions of the Help messages and the Reference Materials are attached hereto as Attachments IIa and IIb, respectively

¹¹ The “Terms of Reference” are attached hereto as Attachment III

3. Miscellaneous Activities

Activity	Comments	Jun 04-Jun 05 Activities	Jul-Sep 05 Activities
3.1. Obtain Project Extension	Project extension is necessary to complete the database, to develop user base, and, most important, to have one or more sustaining organizations in place at the end of the Project	No activity	Submitted request for no-cost extension, with supporting documentation, to include a Work Plan covering the activities to be undertaken during the extension period; obtained Contracting Officer approval of proposed extension in early September ¹²
3.2. Develop Work Plan	The Work Plan functions as the blueprint for the Project's activities	Original contract-period Work Plan was completed in August 2004 ¹³ ; continued to monitor and assess activities based on Work Plan schedule; as of June 2005, the Project was basically on schedule for the creation of the database contents (to include the codified Codes), and was slightly behind schedule in the development of the software and hence, in the release of the database for public user access	Developed Work Plan to cover activities during the extension period (see Item 3.1, above and footnote 11); as of the 30 September 2005, the Project was behind schedule based on original contract-period Work Plan (as the Project was scheduled to end in early September), and is on schedule based on the extension period Work Plan
3.3. Negotiate Memorandum of	Without a signed MOU, the commitment of the	Prior to December 2004, held periodic meetings with MoJ management regarding	No activity

¹² The documentation submitted in support of extension and documentation approving the extension are attached hereto as Attachment IV

¹³ The original contract-period Work Plan was submitted as an attachment to the First Quarterly Report

Understanding (MOU) with MoJ, with the parties to the MOU being USAID and the MoJ	MoJ to sustain the database once the Project concludes remains questionable	MOU issues, and assisted USAID in developing drafts of the proposed MOU; in December 2004, MoJ expressed a desire to sign the MOU, and as a result, continued to assist USAID in developing drafts of MOU and in meeting with MoJ management to negotiate MOU issues; in the last quarter (Apr-Jun 05) MoJ stated that it did not require a MOU; the result of this decision by the MoJ raises the question of what organization will sustain the database once the Project ends (for further discussion of the sustaining organization issue, see Item 3.1, above, Item 3.6, below and the "ISSUES" section, below)	
3.4. Obtain cooperation of the MoJ	Critical to obtain MoJ's cooperation as it is the official repository of Azerbaijan's normative acts and is the publisher of the <i>Bullitini</i> digest; as such, it is the Project's designated principal counterpart agency	Held periodic meetings with MoJ management, but without a signed MOU (see Item 3.3, above), MoJ, until December 2004, was unwilling to cooperate other than to review and comment on the "model" codified Land Code; in December 2004, in anticipation of having a signed MOU, MoJ began to cooperate; in the Jan-Mar 05 quarter, documented MoJ manual workflow activities, and provided MoJ with the CD-ROM <i>Toplusu</i> by-product; also in Jan-Mar 05 quarter, MoJ provided (1) <i>Bullitini</i> volumes for years 1997, 1998, 1999 and 2000, (2) text-formatted <i>Bullitini</i> documents issued since November 2002, (3) <i>Supreme Council</i> volumes for year 1991 and for January through June 1992; in the Apr-Jun 05 quarter, MoJ provided	MoJ provided (1) <i>Bullitini</i> volumes for years 2003, 2004, and those published to date in 2005 (Jan 05, Feb 05, Mar 05, Apr 05, May 05, and Jun 05), and (2) <i>Supreme Council</i> volumes for 1994 and 1995 ^{15 16}

		(1) <i>Bullitini</i> volumes for years 2001 and 2002, and (2) <i>Supreme Council</i> volumes for July through December 1992, and for year 1993 ¹⁴	
3.5. Obtain cooperation of the Office of the President	Critical to obtain this Office's cooperation as it is the key government institution in Azerbaijan and is the publisher of <i>Toplusu</i> ; as such, the Office of the President is the Project's designated secondary counterpart agency	Held periodic meetings with Office of the President management, and obtained ongoing cooperation; Office at outset of Project provided monthly <i>Toplusu</i> volumes (62 of the published 92 volumes, as this was all that was in inventory); Office personnel provided input regarding the "model" codified Land Code; in Jan-Mar 05 quarter, provided Office of the President with the CD-ROM version of <i>Toplusu</i> ; in last quarter (Apr-Jun 05) provided updated CD-ROM version of <i>Toplusu</i> ¹⁷	No activity
3.6. Assess Alternative Candidates as Potential Sustaining Organizations	Critical to have one of more sustaining organizations in place by the end of the Project	Since start-up, the commitment of the MoJ to be the sustaining organization has been questionable; in last quarter (Apr-Jun 05), when MoJ indicated that it did not require a MOU, the commitment of MoJ to be the sustaining organization become even more questionable (see Item 3.3, above, for more discussion)	Held discussions with numerous private and public sector organizations as candidates to maintain, update and distribution all or part of the database once the Project ends ¹⁸ ; as no organization had all of the required institutional capacity to sustain the database, a critical component of the Project extension is to continue to assess all potential sustaining organization candidates, including the MoJ (for more detail, see the Project

¹⁴ Each activity with the MoJ since start-up is also included in the appropriate "Database Content Activities" and "Information Technology Activities", above

¹⁵ Each activity with the MoJ since start-up is also included in the appropriate "Database Content Activities" and "Information Technology Activities", above

¹⁶ As noted in Item 1.3, above, MoJ does not have Vol. 4 1991, covering the last half of February 1991; nor does any other entity appear to have this one missing volume

¹⁷ Each activity with the Office of the President since start-up is also included in the appropriate "Database Content Activities", above

¹⁸ Among those met with were existing legal database vendors (Vnesh Expert Services, and Mini-Max), technology oriented organizations (BMGroup, Risk, and the E-Government initiative within the Ministry of Information and Technology), and several others (American Chamber of Commerce, Transparency International, etc.)

			extension Work Plan in Attachment IV)
3.7. Open NCSC/Baku Office Officially	Timed to coincide with MoJ's agreement to cooperate with the Project and its expressed willingness to enter into MOU (see Item 3.4, above)	Opening occurred in December 2005, and was coordinated with USAID and the USA Embassy ¹⁹	No activity
3.8. Obtain Modification of Level of Effort (LOE)	LOE modification is required to complete all Project activities under original contract-period Work Plan	In the Jan-Mar 05 quarter, submitted a request to USAID to modify the LOE, and obtained USAID approval	The LOE was further modified under the plan submitted in support of the Project extension (see item 3.1, above)
3.9. Apply USAID "Branding" Requirements	Banner for Internet web site, and label for CD-ROM database and CD-ROM image by-product must comply with USAID's new "branding" standards	No activity	Submitted in early September required request to USAID for approval of brand and sub-brand; as of end of quarter no response from USAID ²⁰
3.10. Meet "508 Compliant" Requirements	The legal question is whether the web site for accessing the database over the Internet is required to be in	No activity	Informed by USAID/DC in early September that the web site must be "508 Compliant"; submitted lengthy documentation to obtain ruling from USAID/Tbilisi legal counsel that Section 508 was not intended to apply to the

¹⁹ A full discussion of activities relating to the NCSC/Baku Office opening is contained in the Second Quarterly Report

²⁰ Database cannot be released for public access over the Internet or on CD-ROM without new brand, and CD-ROM image by-product also cannot be released without new brand

	<p>compliance with provisions of Section 508 relating to access by federal employees and other Americans with disabilities to information made available on a USA government standalone web site</p>		<p>Azerbaijan legal database; USAID/Tbilisi counsel agreed</p>
--	--	--	--

ISSUES

As of 30 September 2005, there are three interrelated issues facing the Project. First, the database cannot be released for public access until USAID completes its mandated design for the “banner” and approves formally the web site. We fully expect to have in hand shortly both the USAID designed banner and USAID formal approval of the web site. However, until both items occur, the database, which is scheduled for release to the general public in October 2005, cannot be released.

The second issue is that there is not yet a user base for accessing the database. We believe that there will be a strong demand for the database once it becomes available from a broad range of users, to include government officials, judges, lawyers, law professors, law students and the general public at large. Thus, it is imperative that we obtain at the earliest possible date the USAID designed banner and USAID approval of the web site. The Work Plan for the extension period places a heavy emphasis on building a strong user base.

The third, and most important issue, is the lack of one or more organizations to sustain the database once the Project ends. The MoJ, although fully cooperating with the Project in terms of assisting the NCSC/Baku office in obtaining the documents comprising the database content, does not appear to be ready, willing and able to take over the maintenance, updating and distribution of the database once the Project ends. There are several other public and private sector organizations that are candidates to sustain all or part of the database.

The extension period Work Plan places a heavy emphasis on encouraging the MoJ to become a sustaining organization for at least part of the database, to enable the distribution of the content to be labeled as “official”. The Work Plan also places heavy emphasis on having one or more other organizations in place by the end of the Project to sustain the database. Having acceptance of the database by a wide-ranging group of users will help in convincing these organizations of the benefits that will result from continued distribution of the database.

Once the sustaining organization(s) have been determined and the details worked out, NCSC will then be able to transfer the Project’s assets to these organization(s), as necessary and appropriate, and cease operation.

NATIONAL CENTER FOR STATE COURTS

International Programs
2425 Wilson Boulevard, Suite 350
Arlington, VA 22201
www.ncsconline.org

Azerbaijan Legal Database (ALPI) Project

**Information and Communications Technology (ICT)
Requirements of a Sustaining Organization**

Submitted 31 August 2005

By

**John C. Sherman, MA
ICT Consultant**

USAID/Caucasus/Tbilisi

Contract Number

**AEP-I-00-00-00011-00
IQC Task Order No. 810**



USAID
FROM THE AMERICAN PEOPLE

Table of Contents

Introduction.....	3
Mission and Background of the ALPI Project.....	3
The Sustaining Organization	4
Section 1: ICT Requirements to Sustain the Database	6
The Database	6
Database Size	6
Database Updates and Growth.....	6
Database Versions	7
Sustaining the Database	7
Management Roles in the Sustaining Organization.....	8
Legal Staff Roles in the Sustaining Organization.....	8
ICT Staff Roles in the Sustaining Organization.....	9
ICT Requirements.....	9
The Production (Workflow) Environment	10
The Distribution (Internet) Environment	12
New Development	13
Technical Product Set: Knowledge, Skills, Abilities.....	14
Timeframe	14
Summary: Checklist of Indicators for ICT Capacity Assessment	15
Section 2: Candidate Sustaining Organizations—ICT Infrastructure Evaluation.....	16
Section 3: Recommendations	17
Options among Existing Candidates.....	17
Conclusions and Alternatives	18
Equipment Disposition Recommendations	18
Appendix I: References	19
Appendix II: Glossary and Acronyms	20

Introduction

Mission and Background of the ALPI Project

USAID/Azerbaijan sponsored the ALPI Legal Database Project through its contractor, the National Center for State Courts (NCSC), in support of Strategic Objective 2.1: “Civil Society Better Organized and Represented,”

The long-term objective of the ALPI project is to assist the Government of Azerbaijan to create the institutional capacity to digitize, organize, and systematically distribute the country’s legal framework documents in a complete, timely and accurate database system and to provide its citizens easy access to these documents through the Internet and on CD-ROM.

Legal framework documents include those established since the time of national independence (retrospective documents) and those documents that continue to be issued by the government (prospective documents). The following document groups comprise legal framework documents: The Constitution, Acts adopted by referendum, Laws passed by Milli Majlis (Parliament), Presidential Decrees, Presidential Orders, Cabinet of Ministers Resolutions, and Ministerial Regulations. These documents are periodically published in paper form in the digests *Qanunvericilik Toplusu (Toplusu)* and the *Bullitini*.

The project commenced in June 2004 with an expected duration of fifteen months. As of July 2005, the following work has been accomplished:

- The NCSC has obtained complete sets of *Toplusu* and the *Bullitini*, and has converted all framework documents published in them to both text format and image format in accordance with the required specifications for accuracy and formatting. The NCSC continues to add prospective framework documents to the database on a current, complete and accurate basis as part of its ongoing operations.
- The NCSC office has obtained a hard copy of most, but not all framework documents issued between 1991 and 1995, and has converted them to both text format and image format in accordance with the required specifications for accuracy and formatting. Acquisition and conversion of remaining documents is in progress with a projected completion date of August 2005.
- The NCSC office has completed the codification process for 16 of the existing 17 legal Codes. Codification includes all amendments issued through the end of June 2005¹. The NCSC continues to codify (update) the existing codified Codes as part of its ongoing operations.
- The NCSC has not (yet) allocated resources to the creation and maintenance of codified framework documents other than Codes; however, the NCSC possesses the institutional capacity to perform this desirable service as a result of the process for creating and updating the codified Codes.
- NCSC has created a means for accessing the documents comprising the database content through creation of an associated searchable metadata²

¹ The last remaining Code, the Housing Code, will be completed within a month after an official copy of the Housing Code as initially adopted in 1983 is obtained.

² “Metadata” is data about each document, such as its title, its issue date, its effective date, etc.

record. NCSC is in the process of completing the data entry and verification of the metadata for most of the existing documents comprising the database content with a projected completion date of August 2005. Once completed, The NCSC will continue to create and verify new metadata records for prospective framework documents, and to update and verify existing metadata records for codified Codes and codified framework documents as part of its ongoing operations.

- NCSC has developed and implemented the software required to create, maintain and update the database content and the metadata records. This “workflow” software is used daily to create and update the database content described above.
- NCSC is in the process of completing the software for distributing access to the database over the Internet and on CD-ROMs with a projected completion date of August 2005. Once completed, the database can be released for access over the Internet and on CD-ROM, and this event is projected to occur in September 2005.
- NCSC has produced an electronic image version of *Toplusu* (1997-2004) on CD-ROM as a by-product of the database creation process. The CD-ROM sets have been distributed for installation on several public access computers supported by such organizations as ABA-CEELI, NDI, and Transparency International. As part of its ongoing operations, the NCSC will update the CD-ROM monthly to coincide with the publication of the printed version of *Toplusu*. The NCSC possesses the institutional capacity to produce an electronic image version of the *Bullitini* on CD-ROM, as well.

The Sustaining Organization

At its inception, the project anticipated that the Government of Azerbaijan, Ministry of Justice (MOJ), would be the beneficiary organization of the ALPI project. As such, the contractor expected that the MOJ would partner with the NCSC in the development of the database and serve as a sustaining organization to continue to maintain and distribute the database upon termination of the NCSC project.

Early meetings with the MOJ revealed that the MOJ did not possess the capacity to effectively partner with the NCSC in the development activities to create the database; the MOJ cited staff shortages that prevented active participation in the ALPI project. Nevertheless, work was initiated to draft a Memorandum of Understanding under which the MOJ would operate the developed system. After nearly one year these negotiations remain inconclusive, and it is doubtful that the MOJ has the institutional capacity or the will to undertake the responsibilities of a sustaining organization.

As a result, the organization that will be responsible to sustain the Database is not yet determined, and the physical locations of the ultimate workflow and distribution environments are unknown. Until such time as a sustaining organization is established, the NCSC/Baku office continues to update the database and will undertake distribution activities as required.

Capabilities that a sustaining organization must possess in order to successfully operate and distribute the Azerbaijan Legal Database include competence in Management, Law, and Information and Communication Technologies (ICT). This report focuses on the ICT requirements to sustain the Database. As the Database is

inherently electronic (i.e. computer-mediated), it relies heavily upon information technology for its creation, updating, and distribution. Thus, ICT competency is a significant component of the overall capabilities of a sustaining organization.

In particular, the objectives of this report are to:

- a) To assess in general terms long-term ICT requirements to sustain the Database;
- b) To evaluate the existing ICT infrastructure of key organizations that are candidate sustaining organizations; and
- c) To recommend the organization best equipped for managing and operating the ICT infrastructure to achieve ALPI long-term objectives.

These objectives are addressed in the following three principal sections of the report.

Section 1: ICT Requirements to Sustain the Database

To “assess the long-term ICT requirements to sustain the Database”, this section examines the objective through each of its component parts:

- a. “the Database”
- b. “to Sustain”
- c. “ICT Requirements”, and
- d. “the long-term timeframe”.

After examination of each of these components and their implications for continuing support activities, the ICT requirements for a Sustaining Organization are synthesized in a checklist to evaluate candidate organizations.

The Database

The principal work product of the ALPI project is the creation of a complete and accurate database of *retrospective* Azerbaijan framework legal documents, i.e. all such documents adopted as law at the time the project ends. The ultimate objective of a sustaining organization is to keep the information complete, accurate, and current as new laws are adopted in the future, because the value of the database corresponds directly to its completeness, accuracy, and timeliness. The nature of the database itself largely governs the character of the ICT requirements necessary to do this.

Database Size

Legal documents are the fundamental elements of the database. The completed database is expected to contain approximately 10,000 documents, averaging 4 pages per document³. Most database documents exist in two formats: (1) revisable-text format documents amenable to computer-mediated searches using text (character) strings, and (2) as a non-revisable bitmapped image (or “picture”) format documents, used as a reference to insure accuracy of the text version. Text documents are stored in XML⁴ format; image documents as PNG⁵ images.

The database is hosted in the widely-supported Microsoft SQL Server Database Management System (DMBS). In this form, the initial complete database is expected to require approximately 10 GB (gigabytes) of disk storage—a modest size by contemporary database standards. Supporting software, principally written in Microsoft VisualBasic.NET, provides the procedures used to update and maintain the database.

Database Updates and Growth

Once the database contains all retrospective framework legal documents, an average of four or five new documents must be added to the database each day to maintain currency. The daily source of new legal framework documents is official publication in the Azerbaijan Gazette; the monthly publication of the *Toplusu* and *Bullitini* digests provides the remainder. At the expected rate of new document addition, the database may be expected to double in size in 8 to 10 years.

³ Some documents are considerably larger, for instance the documents implementing the major legal Codes. Many others are much smaller, less than one page.

⁴ XML: Extensible Markup Language

⁵ PNG: Portable Network Graphics; *ISO/IEC 15948:2004*

Once a document is entered in the database, it is not removed: if a document is repealed, i.e. no longer has the effect of law, the document is retained in the database as an historical artifact. With a modest rate of additions and effectively no deletions, the database is not highly volatile. It is expected that the capacity of the current production server equipment will be sufficient to host the database for at least 10 years. Consequently, technical database management and maintenance requirements are modest.

Database Versions

Two copies or versions of the database must be maintained, each copy resident on a separate server. One copy serves as the “master” or “reference” version of the database; it will be maintained at the sustaining organization by the supervising legal editor and supporting personnel. This copy is referred to as the “*Production Database*” in various ALPI project documents.

A second copy of the database is used for public access via the Internet. This copy effectively isolates the Production Database from risks of corruption due to intentional or inadvertent activity of users over the Internet. This copy is referred to as the “*Live Database*” in various ALPI project documents.

The two copies will lose synchronization as documents are added to the Production Database. Periodically (e.g. daily), the supervising legal editor must transfer of all new documents to the Live Database, thus restoring synchronization.

Technical details concerning the database and the method used to synchronize the database copies are described in the ALPI Project Request for Proposals and the BM Group Technical Proposal (Reference 6). These documents formed the basis for the contract resulting in the software used to construct and maintain the database. This software, the Content Management System (CMS), is also referred to as the “*workflow software*” in various ALPI project documents.

Sustaining the Database

The overall sustaining objectives are that ***the ultimate agency responsible for the ALPI project will sustain the database system such that the governing laws and regulations of Azerbaijan will be maintained on a current, complete, and accurate (to 99.9%) basis and will be accessible to the public 24 hours-a-day via the Internet and on CD-ROM⁶.***

The business plan of a candidate organization should demonstrate that the organization possesses capacity in three distinct areas in order to effectively sustain the ALPI database. These competency areas are:

- a. Management
- b. Law (Legal Editing)
- c. ICT Technical

As noted above, the ALPI Database is essentially an ICT technical artifact. ICT is required not only to distribute the database to end-users (via the Internet or CD-ROM), but detailed ICT procedures established in the CMS software are used to add

⁶ Yates, Task Analysis and Proposed Workflow Model, 14 January 2005 (Reference 2).

new documents, codify existing documents, and, in general, maintain the currency, completeness, accuracy, and availability of the database.

As a result, significant experience with ICT and a mature understanding of ICT principles and practice is necessary in all capability areas of the sustaining organization:

- a. Management must have sufficient understanding of ICT in order to be able to plan and direct activities highly dependent upon ICT;
- b. Staff (legal editors) will use ICT procedures on a daily basis to perform their database maintenance tasks;
- c. ICT technical support staff must keep the overall system functioning correctly and highly available to both the internal customers (management and the legal editors) and the end-users.

Management Roles in the Sustaining Organization

As described by Yates⁷, management of the sustaining organization should:

1. Provide the ALPI team with a clear vision, goals, and methods to measure the progress toward achieving the goals.
2. Align the organization's structures, processes, and resources with its goals. The achievement of the ALPI project goals is determined, to a certain extent, by the cooperation, processes and resources provided by organizations other than the office responsible for the workflow process. Officials within these other organizations should be approached as stakeholders in the ALPI project, and their input and suggestions for achieving the project's goals should be solicited in the early stages of the project. Ongoing participation in key decisions is critical, as are invitations to opening ceremonies and other milestone events.
3. Top management must be continually involved in the ALPI project. The higher the level of participation and the more visibility, the more likely the project's goals will be achieved.
4. Provide adequate knowledge, skills, and motivational support for all individuals involved in the maintaining the ALPI project.

Yates concludes, "...the result will be a sustainable process of maintaining the ALPI database on a current and complete basis."

As the "methods, processes, resources, knowledge, and skills" cited above are heavily ICT-dependent, management must have a thorough understanding of ICT principles and associated management skills to succeed in sustaining the database on a continuing basis.

Legal Staff Roles in the Sustaining Organization

The workflow model proposes three levels of legal editor positions (Staff #1, #2, and #3) plus a supervisor. (Yates, reference 2).

All positions require general computer skills and require daily use of ICT equipment and software. Higher level positions require increasing knowledge of the design,

⁷ Ibid

capabilities and use of the Content Management System (CMS)—the application software system that effects database updates—as well as comprehensive knowledge of the Azerbaijan legal environment and the nature and role of framework legal documents within this environment.

These positions are entirely dependent on ICT to perform the required tasks, and all staff must possess or acquire a high level of computer competence. Training in basic ICT skills (e.g. Windows, MS Word) including principles of database organization and use is prerequisite to the job-specific training materials provided by the ALPI project. Yates⁸ outlines curricula for training these positions to maintain the Production Database using the CMS, and documentation from the CMS vendor provides instructions to periodically refresh the Live Database with the new and updated documents from the Production Database.

ICT Staff Roles in the Sustaining Organization

All positions in the sustaining organization must possess significant ICT skills. Nevertheless, the sustaining organization must also employ ICT professionals dedicated to maintaining the ICT infrastructure and supporting the legal staff and management. One ICT professional should be on staff to perform routine duties and provide staff support; additional ICT professionals must be contracted from an external support organization from time to time.

The duties, skills, and responsibilities of the staff ICT professional are described in the following section.

ICT Requirements

Essential ICT infrastructure includes the computer hardware, software, data communication networks, and supporting physical environment (e.g. electrical, air conditioning, physical security). ICT technical professionals are required to maintain this infrastructure, and the major tasks to be performed are described in this section.

To sustain the database, a candidate organization must support two distinct ICT work environments.

1. The first ICT environment is internal to the organization and includes the daily production office operations performed by legal editors to maintain the content of the Production Database. In this “workflow” environment, new documents are added to the database and existing documents are codified by amendments. The production operations are called “workflow” operations in project reports and are described in detail in Yates (references 2 and 4). Workflow operations must be managed to insure that standards for accuracy, completeness, and timeliness are met.
2. The second ICT work environment is the distribution of the Production Database to end users. Distribution is accomplished by publishing the database to CD-ROM and distributing copies to subscribers and by “publishing” the database to the Internet, i.e. to periodically refresh and synchronize the “Live Database” from the Production Database (see Database Versions, above).

Both work environments are supported by contemporary ICT client/server system architectures. Central to each environment is a distinct server computer. The

⁸ Yates, Project Workflow Training Program Design, 23 May 2005 (Reference 4).

Production Database is hosted on a “Production server” physically located within the sustaining organization.

The Live Database is hosted on a separate “Live server”, expected to be physically located at an Internet Services Provider (ISP) external to the sustaining organization (see discussion in section 0, below). Both servers are configured to run the Windows Server 2003 operating system. Each environment has characteristic technical support requirements.

The Production (Workflow) Environment

The Content Management System (CMS) software runs on the Production Server. Clients of the Production Server include a few (5 to 8) PC connected in a local area network (LAN) and used by the legal staff and management of the sustaining organization. In addition to the CMS, these PC will host general office automation applications such as MS Office (Word Processing, Excel spreadsheet, etc.) and provide general internet services for the sustaining organization staff. The CMS is designed to run under the Microsoft Windows XP operating system.

Internet Maintenance and Security

Transfer of updates from the Production Database to the Internet “Live” database will occur over the Internet. Since the typical frequency of Live Database update is low (once per day) and the volume of such updates is low (4 to 5 documents/day on average), the internet bandwidth needed is nominal (e.g. a 256 kbps ADSL link should be adequate).

The production environment must be well protected from internet security risks by configuring and managing an effective firewall. As the volume of internet traffic is low, the software firewall available in Windows Server should be adequate to the task.

The ICT professional is responsible for setting security policies and communicating and enforcing standards to prevent the introduction of viruses and to guard against other security vulnerabilities. In addition to configuring and monitoring the firewall, such activities include strict control on executable programs introduced by workflow users and enforcement of regular password changes by staff.

Staff Support and ICT Administration

In addition to configuring and maintaining the technical infrastructure, the duties of an ICT professional include technical support for the legal and management workers in the sustaining organization. The ICT professional will also exercise Administrator privileges within the CMS application, and assign CMS access rights to other personnel commensurate with their assigned duties.

Database Distribution

The ICT professional should be responsible for migrating changes from the Production (workflow) Database to the Live (end-user) Database when directed by the Supervising Legal Editor.

The ICT professional may also assume the responsibility to periodically (e.g. monthly) create a master copy of the database on CD-ROM for distribution to end-users relying on this media. The sustaining organization may acquire and operate the technology to create and distribute all of the CD-ROM copies needed to satisfy market demand, and the ALPI project acquired a CD-ROM burner capable of burning several copies of a master CD at a time for this purpose. While this approach may be

adequate in the short term for low copy volumes, it is recommended that the production (and, possibly, the physical distribution) of CD-ROM copies be outsourced to an organization equipped to handle high-volume copying and distribution after a master CD-ROM is prepared.

Technical Maintenance of the Database

Within the Production environment certain routine system maintenance duties must be performed by the ICT professional. These include developing and operating daily database backups (together with periodic backups of the software and other organization files) and managing backup media stored off-site. The ICT professional must also develop and periodically test the recovery and restoration of the Production Database from backup media. Ideally, a business-continuity or “disaster recovery” plan will be developed and periodically tested, enabling an efficient transfer of operations to a separate location (a “hot-site”) in the event of a physical catastrophe affecting the primary offices of the sustaining organization.

Periodically, the Production Database may require “tuning” (e.g. database re-organization and rebuilding indexes) to preserve DBMS efficiency and minimize CMS response time after a large number of database additions or changes have been posted. Such database management utilities are included under SQL Server administration. Given the low volatility of the database, it is likely that such tuning will be required infrequently.

Software Maintenance, Hardware Configuration and Troubleshooting

Finally, the ICT professional will keep all software up-to-date by reviewing and applying security releases and patches, and, from time-to-time, supervising the testing and implementation of new software releases. The sustaining organization may also expect occasional hardware failures, and the ICT professional will be required to diagnose and rectify malfunctioning equipment through warranty or post-warranty services. The ICT professional must also monitor equipment capacity and plan for upgrades or configuration changes as needed to support evolving ICT requirements of the sustaining organization.

Summary

In summary, the key ICT responsibilities to be performed by an ICT professional in the production environment are:

1. Technical support of Legal and Managerial staff including equipment installation, configuration, troubleshooting, and problem resolution;
2. Production Server, LAN, and Internet maintenance and administration, including user administration, operating system software management, file allocation and capacity management;
3. Production Server security administration, including firewall configuration and monitoring;
4. CMS Administrator functions;
5. Business continuity planning and testing;
6. Production Database backup and restoration;
7. Production Database tuning;

8. Testing and applying updates to the Production Server and Client software environment;
9. Distribution-related technical procedures (e.g. CD-ROM mastering).

The Distribution (Internet) Environment

The Internet Distribution software runs on the Live Server. Essentially, the Internet Distribution software is a version of the CMS software restricted to document identification, access and retrieval functions. Clients of the Live Server are members of the public (legal professionals, attorneys, law persons) who seek to use the Legal database and who operate privately owned computing equipment connected to the Internet which runs an Internet browser such as Internet Explorer, Netscape, Opera, Firefox, etc.

Analysis of Live Server hosting options conducted by the ALPI Project⁹ concluded that the most cost-effective method for high end-user availability would be the use of server co-location services¹⁰ at a private Internet Server Provider (ISP). As a result, this section assumes that the sustaining organization will rely on contracted services of an ISP to host the Live Server.

If the sustaining organization chooses to host the Live Server at its own offices, ICT support in addition to the support described below is required. Inviting internet traffic to access a server in the office of the sustaining organization would require an increase in the internet bandwidth otherwise required. It also requires a significant upgrade to security provisions to protect the Production Server and internal operations. Providing 24x7 technical support to sustain a high-availability server would introduce additional staff cost. Overall, the need for security would require additional equipment and software, significantly increase the complexity of the office IT environment, and demand additional and more sophisticated technical support.

External User Support

ICT resources from the sustaining organization must be available to support this external user community as well as the internal workflow environment. Some level of public-user technical expertise must be assumed; computer novices may be directed to external resources to obtain threshold technical competence such as that specified in the European Computer Driving License (<http://www.ecdl.com>). Beyond these basics, the sustaining organization must prepare and provide basic education and training in the use of the database, coupled with its marketing and publicity functions.

ICT professionals should assist in the preparation of these training materials and assist in establishing and supporting a user problem-resolution service or “help desk” to facilitate broad public use and adoption of the database product. The ICT professional on the staff of the sustaining organization is expected to provide ongoing technical support to these marketing and customer support functions.

Live Database Monitoring and Tuning

ICT technical support is required to migrate database changes posted to the Production Server to the distribution (“Live”) server. Performance of the Live Server

⁹ Sherman, Hosting the ALPI Legal Database for Public Access via Internet, 29 July 2005 (Internal ALPI Project document—Reference 7)

¹⁰ Co-location refers to the placement of a privately-owned server at an ISP for the purpose of availing public access to the server content.

may degrade as the user-base grows, and the ICT professional must monitor internet usage of the database to insure continued high-availability, and adjust the Live Server platform and tune the DBMS as required to provide adequate response time to increasing numbers of concurrent users. Regular reports on the growth of the user community and the characteristics of user behavior should be prepared by the ICT professional for management use in planning and administration.

Summary

In summary, the key ICT responsibilities to be performed by an ICT professional in the distribution environment are:

10. Technical support of Training staff that train public users in the database;
11. Technical support of Customer Support staff that perform “help desk” services for public users;
12. Live Server and Internet maintenance and administration, including user administration, operating system software management, file allocation and capacity management (in conjunction with ISP technical personnel);
13. Live Server security administration, including firewall configuration and monitoring (in conjunction with ISP technical personnel);;
14. Distribution-related technical procedures (e.g. Live Database updates).
15. Live Server performance monitoring, problem resolution, and usage statistics;
16. Testing and applying updates to the Live Server software environment;

New Development

From time to time, the sustaining organization may wish to develop new software capabilities. For example, there may be a need to alter workflow procedures supported by the CMS software or extend the database to accommodate documents not implemented by the original ALPI project (e.g. foreign language translations, additional document types, etc.). An ICT professional is required to assist in determining if such new desired capabilities can be supported by the existing software (by simply extending an existing code table, for example) or will require modification of the CMS software application. For this purpose, the ICT professional is required to be intimately familiar with the CMS software, its design and capabilities.

If changes can be supported by the existing software, the ICT professional may implement table changes through the Administrator function. Changes requiring re-programming of the application are likely to require specialized technical (design and programming) resources and should be outsourced. Re-programming of the application is beyond the expected skill-set of the in-house ICT professional. If available, the original authors of the application are likely to be the best and most efficient agent for such changes.

In summary, the key ICT responsibilities to be performed by an ICT professional in support of new development are:

17. Administrative functions of the CMS software related to code-table maintenance (add, change, delete);

18. Technical advice and support to management regarding the capabilities of existing software and the feasibility of supporting proposed procedural changes or new capabilities;
19. Coordination of technical resources external to the sustaining organization (e.g. contracted developers, services provided by business partners, etc.).

Technical Product Set: Knowledge, Skills, Abilities

The ICT professional in the sustaining organization must be expert in the off-the-shelf and custom software products and components used to host the database. These include:

20. **Servers:** Intel-based Production and Live Servers running Windows 2003 Server, Routing and Remote Access Services (RRAS), ISA Server; the SQL Server DBMS, ASP.NET, VisualBasic.NET, XML, MS Word (libraries); DAT tape backup technology and practice; CMS Workflow software;
21. **Clients:** Microsoft Windows XP Professional and Office; dual monitor or large screen high-resolution graphic monitors workstations; general public access client workstations;
22. **Network:** Internet-protocol (IP) LAN and WAN concepts and administration;
23. **Environmental Components:** Power, Air conditioning, Physical Security.

Candidates should have professional training and experience equivalent to a Microsoft Certified Professional (e.g. MCSA at minimum, MCSE, or MCDBA) with demonstrated skill and experience in each of the products cited above.

Timeframe

For purposes of this report, the assumed timeframe for description of ICT support requirements is “long term”. In practical terms, “long term” is defined as 5 years.

During the first year startup period, a sustaining organization may expect a rather volatile environment. New staff will be trained and become accustomed to performing their various supporting roles while the organization will experience significant growth in the size of the user community. Once procedures are in place and skills are honed, sustaining the database thereafter will consist of comparatively routine activities.

As noted above, at the expected rate of new document addition, the database may double in size in 8 to 10 years. The current production server environment should easily sustain the database and current maintenance procedures for at least 10 years. Thus, investment in additional production hardware capacity is likely to be unnecessary until well past the assumed 5-year planning horizon.

Depending upon the growth of the user base, however, the Live Server may require multiple capacity upgrades within this period to maintain acceptable performance. Such capacity upgrades may include additional memory, data storage, or software Client Access Licenses for additional concurrent users. For both servers it is likely that general advances in operating systems and ICT capabilities, rather than database growth, will dictate major changes to the existing ICT infrastructure (e.g. server replacement).

Development of major new content in the database (types of documents, language translation, etc.) or development of more sophisticated means of document search and retrieval is not currently anticipated and may, of course, alter these “long term” forecasts accordingly.

Summary: Checklist of Indicators for ICT Capacity Assessment

The following list summarizes ICT capabilities that should be examined in a candidate sustaining organization (CSO) and provided in order to successfully sustain the ALPI Database.

1. Does CSO management have experience successfully operating mission critical ICT?
2. Does the CSO have competent Legal expertise, in particular Legal editors comfortable with ICT?
3. Does the CSO have technical expertise competent to maintain a functioning, highly-available technical environment? In particular, does the CSO have staff with the skills to perform the tasks enumerated in the section **ICT Requirements**, above?

Section 2: Candidate Sustaining Organizations—ICT Infrastructure Evaluation

The organizations listed below were identified by the ALPI team as candidate sustaining organizations.

Organization	Type
The Ministry of Justice	Government
The Office of the President of the Republic	Government
MCIT ¹¹ , E-Government Project	Government
Vnesh Expert Services (VES)	Private Sector
ABA/CEELI ¹²	NGO ¹³
GTZ	NGO
World Bank	NGO
Transparency International	NGO

The result of a capacity evaluation is shown in the following table and notes:

Organization	Management	Legal	IC Technical
Ministry of Justice	No	Yes (1)	No
The Office of the President	Yes	Yes	Yes
MCIT, E-Government	Yes	No	Yes
Vnesh Expert Services (VES)	Yes	Yes	Yes (2)
ABA/CEELI	Yes	Yes (4)	Yes (3)
GTZ	Yes	No	Yes (3)
World Bank	Yes	No	Yes (3)
Transparency International	Yes	No	Yes (3)

Notes:

- (1) While the MOJ possesses the Legal content knowledge sufficient to sustain the database, its management and legal staff are not presently “ICT qualified”, i.e. comfortable and experienced in using ICT technology to support mission-critical work processes.
- (2) While VES presently operates a computerized legal database for public (subscriber) access, the underlying technology is not up-to-date (Paradox DBMS, Borland Delphi programming language), and its staff is not presently qualified in the technical product set used in the ALPI project (see Technical Product Set: Knowledge, Skills, Abilities).
- (3) In general, NGO use ICT extensively to support their operations. However, further development and investment would be required to operate mission-critical ICT using the Technical Product Set utilized by the ALPI project.
- (4) ABA/CEELI does not presently employ Legal Editors immediately qualified to undertake sustaining database operations. However, the nature of the organization is such that development of this capacity would be relatively straightforward.

¹¹ The Ministry of Communications and Information Technology

¹² American Bar Association/Central and Eastern European Law Initiative

¹³ NGO: Non-Governmental Organization

Section 3: Recommendations

Based upon the assessment in Section 2, this section identifies the organization best equipped for managing and operating ICT infrastructure to achieve ALPI long-term objectives.

Options among Existing Candidates

Office of the President: The Office of the President is the best qualified of the organizations evaluated to undertake sustaining operation of the database. Parliamentary legislation passes through the Office which arranges for its official publication, and the Office originates Presidential Orders and Decrees and manages international treaties. Office staff currently codifies laws manually for internal use, and the Office maintains extensive ICT capacity. Because of its unique responsibilities in creating new law, the Office should be a cooperating partner with a sustaining organization, ideally transmitting the text of new law to the sustaining organization in electronic form and in a timely manner.

However, the Office of the President regards a legal repository to be the responsibility of the Ministry of Justice and appears reluctant to accept operational responsibility for the ALPI database on a continuing basis.

VES: Vnesh Expert Service (VES) is well qualified, with additional technical training, to undertake sustaining operations of the database. There is an inherent conflict of interest, however, as VES currently operates an existing legal database which generates revenue for the organization. They expressed the need for “start-up” funding, in the form of a grant, as prerequisite to assuming sustaining responsibility.

MOJ: As mentioned above, the Ministry of Justice has not demonstrated the capacity or management will to undertake the role, although MOJ representatives continue to express interest in the project.

The MOJ was unable to produce or identify an ICT professional with whom to conduct an evaluation survey of MOJ ICT capabilities. It was observed that at least some departments within the MOJ have desktop PC connected in a local-area network, and some PC have internet access; thus, there exists some minimal ICT capacity that could be developed to sustain the database were the MOJ to demonstrate the management commitment and willingness to do so. Key requirements to demonstrate this commitment include the hiring of one or more ICT professionals as permanent staff and development of managerial expertise in managing an ICT-intensive organization.

MCIT E-Government Project: The E-Government project did not feel it within their mission or competence to operate the ALPI Database service on a sustaining basis, although such an ICT-mediated public database is precisely the type of E-government service the project is constituted to encourage. They did, however, express interest and willingness to assist in its distribution by hosting the Live Server on the Internet. This option should be further developed as an alternative to use of a private-sector ISP if the MOJ or another government agency becomes the sustaining organization.

NGO: None of the NGO felt they had the capacity (mission, funding) or permanence to undertake the role of sustaining organization. All, however, were supportive of the ALPI project objectives and felt that the database product is a valuable resource to be sustained.

Conclusions and Alternatives

None of the organizations evaluated proved to be an ideal candidate to assume responsibility as the sustaining organization for the ALPI Database. As the ALPI Project has evolved, the NCSC project office has become a de-facto sustaining organization, albeit for a limited time. The NCSC has developed staff trained to operate the CMS, and the NCSC actually performs database additions, updates, and codification of prospective legal documents to meet the operational objectives of completeness, accuracy, and timeliness.

Creation of a new sustaining organization by “institutionalizing” the existing staff and operations may be a preferable alternative to selecting an existing organization. This may be accomplished, for example, by fostering a joint-venture which may assume current project assets (staff, equipment, and software) and which will continue current NCSC operations. Such a joint-venture might be composed of an existing local legal publisher or law firm to provide the management and legal capacity coupled with a local technology firm to provide the ICT support.

Initially, such a joint-venture may require start-up funding¹⁴, although ultimately it would be expected to generate revenue for continuing operations from “value-added” database services provided to some subscribers on a fee-basis. Basic database access, however, should be provided to the general public at no cost. Due to the imminent termination of the ALPI project on its current schedule, this approach would require a nominal extension of the project to publicize the opportunity, identify joint-venture candidates, negotiate agreement(s), and provide training in the ALPI technology.

Among the alternatives, this approach seems most likely to achieve the ALPI project long-term objectives.

Equipment Disposition Recommendations

To help ensure continuity of database operations, ICT equipment acquired by the project should be transferred to the sustaining organization selected. If a joint-venture approach is adopted, the existing NCSC project office including staff and furnishings (together with liability for future rent and utilities) could be transferred to the joint-venture, perhaps as part of a “start-up” funding consideration.

If the ALPI project is terminated without transferring operational responsibility to a sustaining organization, ICT equipment should be distributed between government agencies participating in the project or those likely to make productive use of the equipment (e.g. the Office of the President, the MOJ, and the MCIT E-Government Project). Office furnishings may be similarly distributed or donated to other NGO. License to use the Database and Content Management System (the intellectual property created by the project) should be made available at no cost to any organization wishing to use it.

¹⁴ And/or other consideration such as existing project equipment and software licences.

Appendix I: References

1. Yates, Kenneth A., Azerbaijan Legal Database (ALPI) Project, Systems Analysis and Design Report, 15 November 2004
2. Yates, Kenneth A., Azerbaijan Legal Database (ALPI) Project, NCSC/Baku Task Analysis and Proposed Workflow Model, 14 January 2005
3. Yates, Kenneth A., Azerbaijan Legal Database (ALPI) Project Workflow User Software Assessment Report, 23 May 2005
4. Yates, Kenneth A., Azerbaijan Legal Database (ALPI) Project Workflow Training Program Design, 23 May 2005
5. Sherman, John C., ALPI Legal Database Project, Project Initiation Assessment Report, 28 July 2004
6. Sherman, John C., Hosting the ALPI Legal Database for Public Access via Internet, 29 July 2005 (Internal ALPI Project document)
7. BM Group, ALPI Proposal, February 2005

Appendix II: Glossary and Acronyms

ABA-CEELI	American Bar Association—Central and Eastern European Law Initiative
ADSL	Asynchronous Digital Subscriber Line
ALPI	Azerbaijan Legal Database
ASP	Active Server Page (a Microsoft Web server technology)
CD-ROM	Compact Disk—Read-Only Memory
CMS	Content Management System
CSO	Candidate Sustaining Organization
DAT	Digital Audio (magnetic) Tape
DBMS	Database Management System (software)
GB	Gigabyte
GTZ	<i>Gesellschaft für Technische Zusammenarbeit</i> (a German development organization)
ICT	Information and Communications Technology
IP	Internet Protocol
ISA	Microsoft's Internet Security and Acceleration software
ISP	Internet Services Provider
LAN	Local-Area Network
MCDBA	Microsoft Certified Database Administrator
MCIT	Ministry of Communications and Information Technology, Government of Azerbaijan
MCSA	Microsoft Certified System Administrator
MCSE	Microsoft Certified System Engineer
MOJ	Ministry of Justice, Government of Azerbaijan
MS	Microsoft
NCSC	National Center for State Courts
NDI	National Democratic Institute
.NET	Microsoft's framework for Internet (Web) services and component software
NGO	Non-Governmental Organization
PC	Personal Computer
PNG	Portable Network Graphics
SQL Server	A Microsoft DBMS product
SQL	Structured Query Language
USAID	United States Agency for International Development
VES	Vnesh Expert Services
WAN	Wide-Area Network
XML	Extensible Markup Language
XP	The current client version of MS Windows, an operating system

PUBLIC USER INTERFACE SCREENS

SCREEN	TEXT
Home Page	<p style="text-align: center;">WELCOME</p> <p>The AZERBAIJAN LEGAL DATABASE contains the official text of Azerbaijan's governing laws. Coverage begins in 1991, and is current through the most recent published volumes of <i>Toplusu</i> and the <i>Bullitini</i>. Documents that have not as yet been published in either of these two official digests but have been published in the <i>Azerbaijan Gazette</i> are also included.</p> <p>The database contains over 10,000 normative acts plus an updated version of each of the 17 Codes currently in effect. There are two methods for finding a normative act – by using the Browse option, which is designed for the infrequent user, or by using the more advanced Search option. To find a Code, use the Codes option. SELECT one of these options.</p> <p>See HELP for more information regarding this screen and the use of the Browse, Search and Codes options. Each screen that is displayed while accessing the database has an associated help message. See Reference Materials for helpful general information, such as "Definitions" of key terms, an "Overview of the Database", etc. Select Close to exit the database.</p> <p>The United States Agency for International Development and its contractor, the National Center for State Courts, working with the Government of the Republic of Azerbaijan, has developed the database.</p>

SCREEN	TEXT	CONTEXTUAL HELP MESSAGE
HOME Page	W E L C O M E (see above for text)	<p>[Note: Italicized <i>terms</i> are defined in the REFERENCE MATERIALS.]</p> <p>You are viewing the Home Page “WELCOME” screen.</p> <p>From this screen, you are to choose one of the three options available for finding a <i>document</i> in the <i>database</i> – either Browse, Search or Codes.</p> <p>Browse, designed for the infrequent user, finds <i>normative acts</i> using pre-structured search criteria based on the year and the volume in which the act was officially published. Search, designed for the more frequent user, finds <i>normative acts</i> using user-defined search criteria based on key information about each act, such as its official identification number, its type (e.g., a law), its subject-matter classification categories, etc. Codes finds a <i>Code</i> based on a list of the 17 <i>updated Codes</i> that are in the <i>database</i>.</p> <p>Your options are:</p> <ul style="list-style-type: none"> • Select Browse to find a <i>normative act</i> • Select Search to find a <i>normative act</i> • Select Codes to find a <i>Code</i> • Return to a previous <i>screen</i> in this <i>Window</i> • Reopen an existing <i>Window</i> • Select Home to redisplay the Home Page “Welcome” <i>screen</i> • Select References Materials to obtain helpful general information • Select Close to close the <i>Window</i> <p>PRESS here to close this Help Message</p>

BROWSE 1 st Screen	SELECT a Publication	[Note: Italicized <i>terms</i> are defined in the Reference Materials.]
BROWSE 2 nd Screen display	SELECT a Year [List of years] <i>[Note: if the selected source on screen 1 is "New Normative Acts", the Normative Acts Selection List is displayed]</i>	
BROWSE 3 rd Screen display	SELECT a Volume [List of months]	

SEARCH
screen
display

ENTER Search
Criteria

[Note: Italicized *terms* are defined in the **References Materials.**]

		<ul style="list-style-type: none">• Select Browse to find a <i>normative act</i>
--	--	---

Framework document list display resulting from a BROWSE	XXX normative acts satisfy your search. SELECT a Normative Act	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	--	--

Framework document list display resulting from a SEARCH	XXX normative acts satisfy your search. SELECT a Normative Act	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	--	--

Framework document display in text format (if no codified framework)	[Text of framework document in text format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
--	---	--

<p>Framework document display in image format (if no codified framework document)</p>	<p>[Text of framework document in image format]</p>	<p>[Note: Italicized <i>terms</i> are defined in the References Materials.]</p>
---	---	--

Framework document metadata record display (if no codified framework)	[Metadata Record]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	-------------------	--

Framework document related documents display (if no codified framework)	SELECT a Related Document	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	---------------------------	--

Codified framework document display in text format	[Text of codified framework document in text format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
--	---	--

Initial version of codified framework in text format (if a codified framework)	[Text of initial version of framework in text format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
--	---	--

Initial version of codified framework in image format (if a codified framework)	[Text of initial version of framework in image format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	--	--

Framework document metadata record display (if codified framework)	[Metadata Record]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
--	-------------------	--

Framework document related documents display (if codified framework)	SELECT a Related Document	[Note: Italicized <i>terms</i> are defined in the References Materials.]
--	---------------------------	--

CODE screen display	SELECT a Code	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---------------------------	---------------	--

Codified CODE text display	[Text of codified Code]	[Note: Italicized <i>terms</i> are defined in the References Materials.]

Initial version of Code in text format	[Text of initial version of Code in text format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	--	--

Initial version of the Code in image format	[Text of initial version of framework in image format]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	--	--

CODE metadata record display	[Metadata record for the selected Code]	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---------------------------------------	---	--

Code related documents display	SELECT a Related Document	[Note: Italicized <i>terms</i> are defined in the References Materials.]
---	------------------------------	--

Reference Materials	Text of Reference Materials	[Note: Italicized <i>terms</i> are defined in these References Materials.]

REFERENCE MATERIALS

[News](#)
[Definitions \(with Commentary\)](#)
[Overview of Windows](#)
[Overview of the Database](#)
[Frequently Asked Questions \(FQA\)](#)
[About the United States Agency for International Development](#)
[About the National Center for State Courts](#)
[Contact Information](#)

NEWS

[No news articles]

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

DEFINITIONS (WITH COMMENTARY)

[Azerbaijan Legal Database](#)
[Normative Act](#)
[Updated Normative Act](#)
[Code](#)
[Updated Code](#)
[Document](#)
[Related Document](#)
[Text Format](#)
[Image Format](#)
[Information Record](#)
[Selection List](#)
[Hypertext Link](#)
[End Note](#)
[Windows](#)
[Screen](#)
[Find Window](#)
[Display Window](#)
[Help Window](#)
[Reference Materials Window](#)

[Note: Italicized *terms* are defined in these definitions]

Azerbaijan Legal Database – the “Azerbaijan legal database” (or “database”) is an electronic compilation of the official governing legal rules of Azerbaijan, together with the means for finding and retrieving each rule using computer-based technology.

Commentary: The governing rules are the *normative acts* and the *Codes*. The collection of *normative acts* and *Codes* in the database can be considered as “official” as the source that was used for the conversion of them to electronic format was an official government publication.

Normative Act – a “normative act” (sometimes referred to as is a “framework document”) is a legally binding governing rule, such as a law, that has been issued in accordance with Azerbaijan’s Constitution.

Commentary: A framework document is a broader term, to encompass all normative acts and other types of legal *documents*, such as the decisions of the Supreme Court or the non-registered regulations issued by one of the Ministries.

Updated Normative Act – an “updated normative act” (sometimes referred to as a “codified normative act” or a “codified framework document”) is an integrated version of the act, to include all amendments to it as of the effective date of the last amendment.

Commentary: An amendment to a *normative act* occurs through a *normative act* of equal hierarchy within the Azerbaijan legal system – for example, a law can amend a law and a Presidential Decree can amend a Presidential Decree, but a Presidential Decree cannot amend a law. The process of integrating the amendments into a *normative act* is referred to as “codifying”, with the end result being a “codified normative act” (or “codified framework document”). The *updated normative acts* in the *database* have been codified by the project’s editorial staff of legal experts.

Code – a “Code” is a legally binding set of related governing rules that has been adopted by law and ratified by the President.

Commentary: An example is the Civil Code. There are 17 Codes currently in effect in Azerbaijan (see “Frequently Asked Questions”, below, for the list of *Codes*).

Updated Code – an “updated Code” (sometimes referred to as a “codified Code”) is an integrated version of the *Code*, to include all amendments to it as of the effective date of the last amending law.

Commentary: An amendment to a Code occurs through an enacted law. The process of integrating the amendments into a Code is referred to as “codifying”, with the end result being a “codified Code”. The updated Codes in the *database* have been codified by the project’s editorial staff of legal experts.

Document – a “document” is the self-contained text of a *normative act*, an *updated normative act*, a *Code*, an *updated Code*, or any other *framework document* included in the *database*.

Commentary: A document is the retrievable unit. .

Related Document – a “related document” is a means for identifying a relationship between a *document* that has been retrieved and another *document* in the *database*.

Commentary: For example, a retrieved Presidential Decree may implement a law, with the relationship being “implements”. Conversely, if this law is retrieved, it is “implemented by” the Presidential Decree. The potential relationships between any two *documents* in the *database* include such types as “implementing”, “adopting” “amending”, “repealing”, etc. The relationships between the *documents* in the *database* have been created by the project’s editorial staff of legal experts.

Text Format – “text format” is one of two methods for storing the text of a *document* in electronic form in the *database*.

Commentary: The other method is *image format*. Text format is similar to the format that is commonly associated with a computerized word processing file. The content of all *documents* in the *database* in native Azeri language are available in text format.

Image Format – “image format” is one of two methods for storing the text of a *document* in electronic form in the *database*.

Commentary: The other method is *text format*. Image format is similar to a facsimile version of a *document*. More specifically, each image-formatted *document* in the *database* is an exact replication of the version of that *document* as officially published in hard-copy format. The text of all *normative acts*, all *Codes* as initially adopted, and other *framework documents* in the *database* are available in image format. The *updated Codes* and *updated normative acts* in the *database* are available in *text format* only, as there is no official hard-copy source for their conversion to image format.

Information Record – an “information record” (sometimes referred to as a “metadata record”) contains key data about a *document* in the *database*, such as its title, its official identification number, its issue date, its subject-matter classification categories, its citations, etc.

Commentary: Each *document* in the *database* has a unique information record. The data stored in the information records provide the means both for finding and for retrieving the *documents*. Because the information records contain data about the data in the *database*, they are frequently referred to as “metadata records”. The data contents of the information records in the *database* have been created by the project’s editorial staff of legal experts.

Selection List – a “selection list” contains items that meet defined criteria.

Commentary: For example, the *documents* that satisfy user-defined search criteria are displayed in a selection list. The command is then to “select” an item on the list for further investigation.

Hypertext Link – a “hypertext link” is an electronic method for navigating quickly and conveniently between two non-sequential points in a *document*.

Commentary: For example, an *updated Code* contains a Table of Contents, organized by Parts and within Parts by Articles. The Table of Contents has hypertext links to allow a user to jump quickly and conveniently to the place in the *updated Code* where the desired Articles begin. It is the equivalent of opening a book, seeing the list of Chapters, deciding that Chapter 5, which begins on page 100, is the desired chapter,

and then immediately being able to open the book to page 100. Hypertext links are embedded in the *documents* in the *database* by the project's editorial staff of legal experts.

End Note – an “end note” is the equivalent of a footnote, but rather than being placed at the bottom of a page in a *document* it is placed at the end of the *document*.

Commentary: End notes have been incorporated extensively into the *updated Codes* and *updated normative acts*, using *hypertext links*. Each Article in an *updated Code* and *updated normative act* that has been amended has an end note. The information in the end note identifies the *normative act* that enacted the amendment, and the exact nature of the amendment. Through the use of the end notes, the language of any Article as of any prior date in time can be determined. There is also a *hypertext link* from each end note to its target in the text of the *updated Code* or *updated normative act*, to allow a convenient means to transition back to the place in the text where that end note appears. The text of each end note and its *hypertext links* have been created by the project's editorial staff of legal experts.

Windows – “Windows” is the underlying software application used for accessing the content in the *database*.

Commentary: All database content, the associated contextual Help messages and these Reference Materials are viewed in one of four Windows: (1) the *Find Window* (or “Home Page”), to submit the criteria for finding *documents* and to display the resulting *selection list*; (2) the *Display Window*, to view a selected document's text, and its related information, (3) the *Help Window*, to display a contextual help message associated with the content being viewed in a *Find Window* or a *Display Window*, and (4) the *Reference Materials Window*, to display the content in the Reference Materials. Multiple Windows may be open at any given time, but only one can be the active or current Window.

Screen – a “screen” is the display area in a *Window*.

Commentary: A screen in this context is not the equivalent of computer screen or hard-copy page, with a fixed beginning and ending point. A screen is variable in length. It can contain the equivalent of one line of text (for example, “Enter Search Criteria), or the entire text of a lengthy *updated Code*, such as the Civil Code. Each *Help Window* has one associated screen. The *Reference Materials Window* has only one associated screen. The *Find Window* and the *Display Window* may have multiple screens but only one at a time can be displayed. The display of a new screen in either of these two *Windows* displaces the previous screen in its *Window*. However, all prior displaced screens are available for redisplay.

Find Window – the “Find Window” (also referred to as the “Home Page Window”) is the *Window* that is used to find *documents* in the *database* and to display the resulting *selection list*.

Commentary: A selection of a *document* on the *selection list* causes the text of the document to be displayed in *text format* in the *Display Window*. In effect, the software has automatically switched *Windows*, making the *Display Window* the active *Window*. If

the Find Window has not been closed, however, it may be reopened with its most recent *screen* being displayed. It is also possible to have multiple Find Windows open at any given time.

Display Window– the “Display Window” is the *Window* that is used to view a document’s text and its related information..

Commentary: The text can be displayed in either *text format* or *image format* for a *normative act*, but only in *text format* for an *updated Code* or an *updated normative act*. This Window is also used to display a document’s related documents and its information record. It is possible to have multiple Display Windows open at any given time.

Help Window – the “Help Window” is the *Window* that is used to display a contextual help message associated with the content being viewed in the *Find Window*, the *Display Window*, or the *Reference Materials Window*.

Commentary: Although each Help Window has only one associated *screen*, it is possible to have multiple Help Message Windows open at any given time.

Reference Materials Window – the “Reference Materials Window” is the *Window* that is used to display various reference materials that are helpful in accessing the *database*.

Commentary: This is the content that is now being viewed. This *Window* contains only one *screen*. The *screen* is divided into sections (“Key Definitions”, “Overview of Windows”, etc.), with *hypertext links* to navigate to the desired section, and then within the section to a desired sub-section. Although not recommended, it is possible to have multiple Reference Materials Windows open at any given time.

[TOP \(of Sections\)](#)

[Top \(of Screen\)](#)

OVERVIEW OF WINDOWS





[Note: Italicized *terms* are defined in the **Definitions** section of these Reference Materials]

The *Azerbaijan legal database* is accessed in a web browser. The principal web browser in use today is Microsoft Windows' "Internet Explorer". If you are not familiar with Internet Explorer, we suggest that you seek assistance. Numerous books and tutorials are readily available. In addition, any person who has used Microsoft Windows can be helpful. The information that follows provides you with a brief overview of the key Internet Explorer features as they relate to finding and displaying *documents* in the *database*. For use of other web browsers in accessing the *database*, please see that browser's reference materials.

All content associated with the *database* is displayed in one of four *Windows*: the *Find Window*(or Home Page); the *Display Window*; the *Help Window*; or the *Reference Materials Window*.

At the very top of each of these *Windows*, on the left-hand side is a horizontal list of the standard Microsoft Windows' pull-down menus and on the right-hand side are the standard Microsoft Windows' control buttons. On the next line, on the left-hand side, are "left" and "right" arrow buttons. On the right-hand side is a vertical scroll bar. And at the bottom of the screen is a bar (the "task bar") that indicates all open *Windows*, and the *Window*that is the active (or current) *Window*.

The pull-down menus ("File", "Edit", "View", "Favorites", "Tools", and "Help") provide you with the various tools that can be used when working with any application in Microsoft Windows. The control buttons permit you to minimize, maximize, restore and close a *Window*as follows:

Minimize		Reduces the window to its windows icon.
Maximize		Enlarges the window to fill the screen.
Restore		Returns the window to its last non-minimized, non-maximized position. This button appears only after resizing the window.
Close		Closes the images and window and exits the program.

The "left" and "right" arrow buttons on the second horizontal line on the left-hand side permit you to go forward or backward in sequence to previously displayed *screens* in the active *Window*. The vertical scroll bar on the right permits you to rapidly move within the content being displayed in the active *Windowscreen*. And the task bar at the bottom of the *screen* permits you to make an open but not active *Window*the new active *Window*.

Here are some key points with respect to using *Windows*:

- You can resize any *Window*(for an explanation as to how to resize a *Window*, see "Frequently Asked Questions", below)

- You can have more than one *Window* open at any given time, but only one *Window* can be the active *Window*
- You can designate a passive *Window* to be the active *Window*– thus, you can move back and forth between and among all open *Windows*
- You can navigate through the content in the active *Window* screen using various tools, either alone or in combination, such as the keys on the keyboard, the mouse, the scroll bar, etc.
- You can select items on a *selection list* appearing in the active *Window* or jump to a highlighted *hypertext linked* item or term appearing in the active *Window*, with the mouse being the best resource for this purpose
- You can copy and save the text that appears in the active *Window* screen to your computer (for an explanation as to how to copy and save text, see “Frequently Asked Questions”, below)
- You can obtain a hard-copy version of the text that appears in the active *Window* screen or that has been saved to your computer, if you have an attached printer

The remainder of the *screen* is the same for any web browser being used to access the *database*. The narrow vertical pane on the left-hand side of the *screen* shows the options that are available in that *Window*, with the active one being highlighted. In addition. The data that appears in each *Window* in the larger pane on the right-hand side of the *screen* is the work product of the *Azerbaijan legal database* project’s editorial staff of legal experts.

The initial *screen* upon accessing the *database* is the **Home** Page, with its “Welcome” *screen*. The active *Window* is the *Find Window*, with its three options for finding a document – **Browse**, **Search**, or **Code**.

Find Window

A selection of one of the options in this *Window* results in the following:

- **Home** – redisplay the Home Page “Welcome” screen
- **Browse** – displays the “SELECT a Publication” *screen*, to enable you to initiate a pre-structured search to retrieve a normative act
- **Search** – displays the “ENTER Search Criteria” *screen*, to enable you to initiate a search to retrieve a normative act
- **Codes** – displays the “SELECT a Code” screen, to enable you to retrieve a Code
- **Reference Materials** – opens a *Reference Materials Window*, and displays in a single *screen* the reference materials
- **Help** – opens a *Help Window*, and displays in a single *screen* a help message specific to the content then being displayed in the *Find Window*
- **Close** – closes the *Window*

Display Window (for a normative act)

A selection of one of the options in this *Window* results in the following action:

- **Initial Text** – displays the text of the *normative act* in *text format*
- **Initial Image** – displays the text of the *normative act* in *image format*

- **Related Documents** – displays the list of *documents* that are related to the *normative act* (option does not appear if there are no *related documents*)
- **Record** – displays the *information record* for the *normative act*
- **Reference Materials** – opens a *Reference Materials Window*, and displays in a single *screen* the reference materials
- **Help** – opens a *Help Window*, and displays in a single *screen* a help message specific to the content being displayed in the *Display Window*
- **Back** – reopens the previously active *Window*
- **Close** – closes the *Window*

Display Window (for an updated Code or an updated normative act)

A selection of one of the options in this *Window* results in the following action:

- **Updated** – displays the *updated Code* or *updated normative act* in *text format*
- **Initial Text** – displays the text of the *updated Code* or *updated normative act* as initially issued in *text format*
- **Initial Image** – displays the text of the *updated Code* or *updated normative act* as initially issued in *image format*
- **Related Documents** – displays the list of *documents* that are related to the *updated Code* or the *updated normative act*
- **Record** – displays the *information record* for the *updated Code* or *updated normative act*
- **Reference Materials** – opens a *Reference Materials Window*, and displays in a single *screen* the reference materials
- **Help** – opens a *Help Window*, and displays in a single *window* a help message specific to the content being displayed in the *Display Window*
- **Back** – reopens the previously active *Window*
- **Close** – closes the *Window*

Help Window

A selection of one of the options in this *Window* results in the following action:

- **Reference Materials** – opens a *Reference Materials Window*, and displays in a single *screen* the reference materials
- **Back** – reopens the previously active *Window*
- **Close** – closes the *Window*

Reference Materials Window

A selection of one of the options in this *Window* results in the following action:

- **Help** – opens a *Help Window*, and displays in a single *window* a help message specific to the reference materials
- **Back** – reopens the previously active *Window*
- **Close** – closes the *Window*

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

OVERVIEW OF THE DATABASE

[Note: Italicized *terms* are defined in the **Definitions** section of these Reference Materials]

The *database* contains the following *documents*:

- All *normative acts* published in the official digest Toplusu (Constitution, laws, Presidential Decrees, Presidential Orders, Cabinet of Ministers Resolutions, and Cabinet of Ministers Orders) issued from November 1995 to present, in *text format* and in *image format* (any *updated normative act* is available in *text format* only)
- All *normative acts* published in the official digest the Bullitini (Central Executive Power documents registered with the Ministry of Justice as normative acts) issued from November 1995 to present, in *text format* and in *image format*
- All *normative acts* published (and available) in the official digest Supreme Council Information Bulletin issued between January 1991 and the adoption of the new Constitution in November 1995, in *text format* and in *image format*
- All *updated Codes* (e.g., Civil Code, Criminal Code, etc.) completely updated with all amendments in *text format*

The conversion of each *normative act* from hard-copy format to *text format* has been done at an exceptionally high accuracy level. The target accuracy level is a minimum of 99.9% (that is, no more than 1 character error per 1000 characters converted). The accuracy level that is being achieved far exceeds the minimum level. It is approximately 99.95%. The conversion of each *normative act* from hard-copy format to *image format* has been done at a more than acceptable resolution for on-screen reading and printing purposes.

The collection of *normative acts* in the *database* can be considered as “official” as the source that was used for the conversion to both *text format* and *image format* was an official government publication. More specifically, each *normative act* in *image format* is an exact replication of the act as officially published in hard-copy format.

The *updated Codes* and any *updated normative acts* are available only in *text format*, as there is no official hard-copy source. These documents are also at the same exceptionally high data conversion accuracy level achieved for *normative acts*.

All *documents* in *text format* are available only in native Azeri language, using Azeri Latin as the standard. All *documents* in *image format* are available as published in the official publications. Each multi-national and bi-lateral agreement that has been adopted but is not in native Azeri language is available only in *image format* through a *hypertext link* contained in the Azeri language *normative act* that adopted the agreement.

Each *updated Code* has several unique features. A Table of Contents, with *hypertext links* to each Part, has been added at the front of the *document* to enable a user to navigate quickly to the desired Articles. Each Article in each *updated Code* that has been amended has a *hypertext link* to an *end note* that provides detailed information about the amendment, to include the citation to the law that enacted the amendment, the nature and scope of the amendment, and any deleted language. As a result, the text of the *updated Code* as of any given point in time can be determined. There is also a reciprocal *hypertext link* from the *end note* back to the amended Article to enable a user to return quickly to the Article in the *document* where the *end note* appears. The accuracy of any amended Article can be readily verified by using the list of *source documents* to see the text of the *normative acts* that were used to compile the *updated Code*. The special features that have been incorporated into the *updated Codes* are also available in any *updated normative act*.

Each *document* in the *database* has an associated *information record* that contains key information about that *document*, with the information organized and maintained in “fields”. The *information records*, created by the project’s editorial staff of legal experts, provide the means to find and retrieve the *documents*.

The *information record* for each *normative act* contains such information as its title, its official identification number, its issue date, its effective date, its type (e.g., Order, Resolution), its issuing organization (e.g., Parliament, President), its subject-matter classification categories, its *related documents*, etc. Searches can then be conducted against the information in one or more of the fields to find all *normative acts* that meet the search criteria.

Two options are available to find a *normative act*: first, “Browse”, designed for the infrequent user, structures the search based on a pre-defined set of search criteria (by the year and the volume in which act was officially published in hard-copy format); and second, “Search”, designed for the more sophisticated user, allows the user to enter user-defined search criteria by fields. In effect, “Browse” allows a user to perform a search to find a *normative act* in the *database*, but without requiring knowledge of the features and functionality of the more sophisticated “Search” option.

The result of either the “Browse” or “Search” option is a *selection list* containing those *normative acts* that meet the search criteria. A selection from this list results in a display of the text of that *normative act*, or if updated, the *updated normative act*, in *text format*. Additional display options are also available, such as the *normative act* in *image format* and if available, the *related documents* for the normative act.

As there are relatively few *Codes*, the option for finding a *Code* (the “Codes” option) simply provides a *selection list* of all available *Codes*. A selection from this list results in a display of the *updated Code*. Additional display options are also available, such as the *Code* as initially adopted in *text format* and in *image format*, and the *related documents* for the *updated Code*.

Each *document* in the *database* in *text format* is retrieved and displayed as a self-contained unit – that is, in one *Window screen*. Each *document* in the *database* in *image format* is retrievable one hard-copy published page at a time. Each page is a new *Window screen*. The underlying reason for the different treatment is to achieve efficiency in displaying images over the Internet. A hard-copy page in *image format* requires substantially more computer storage space than the same page in *text format*, with the effect being substantially more time to retrieve and display equivalent volumes of information in *image format* versus in *text format*.

The information displayed in a *Window screen* can be navigated from beginning to end. In addition, all or any part of the information in a *Window screen* can be copied and saved to the user's computer, and if there is an attached printer, can be retained in hard-copy format.

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

FREQUENTLY ASKED QUESTIONS (FQA)

[What normative acts are in the database?](#)

[What Codes are in the database?](#)

[How do I verify the accuracy of an updated Code or an updated normative act?](#)

[Who determined the subject-matter classification categories?](#)

[Which classification category includes documents dealing with the subjects of "Insurance", "Taxes" and "Banking"?](#)

[Which classification category includes documents dealing with the subjects of "Copyrights and Intellectual Property", "Ownership Rights", and "Privatization"?](#)

[Why does it take longer to display image-formatted text compared to text-formatted text?](#)

[How do I copy and save text to my computer?](#)

[How do I return to a previously viewed screen in an open Window?](#)

[How do I return to an open Window?](#)

[How do I resize a Window?](#)

[How do I enter multiple entries in the "Subject-Matter Classification" search field?](#)

[Note: Italicized *terms* are defined elsewhere in these definitions]

What *normative acts* are in the *database*? The *database* includes in *text format* and in *image format* all *normative acts* published in the official monthly digests Toplusu (for all higher level *normative acts*, such as the laws, Presidential Decrees, etc.) and the Bullitini (for all *normative acts* of the Central Executive Powers registered with the Ministry of Justice). Both of these publications began in July 1997, but coverage goes back to the adoption of the new Constitution in 1995. The *database* also includes

normative acts that were issued from January 1991 until adoption of the new Constitution, and that were published in the official Supreme Council Information Bulletin. There is a delay of perhaps three or four months between the issuance of a *normative act* and its publication in either Toplusu or the Bullitini. Most of the issued but as yet unpublished Toplusu or Bullitini *normative acts* are also included in the *database*, with a citation to its publication in one of the official newspapers, such as the Azerbaijan Gazette.

What Codes are in the database? The *database* includes in *text format* the completely updated version of all 17 existing Codes: Civil Code; Code of Civil Procedure; Criminal Code; Code of Criminal Procedure; Misdemeanor Code; Execution of Penalties Code; Election Code; Tax Code; Labor Code; Family Code; Custom Code; Trade Shipping Code; Land Code; Timber Code; Air Code; Water Code; and Housing Code. The *database* also includes the originally adopted version of each of these Codes in both *text format* and *image format*.

How do I verify the accuracy of an updated Code or an updated normative act?

The text of any non-amended Article is easy to verify – simply select the option to display the text of the *updated Code* or *updated normative act* as initially adopted in either *text format* or *image format*. The text of any amended Article requires several steps to verify its accuracy: (1) using the *hypertext link* in the amended Article, go to the *end note* to identify the *normative act* that enacted the amendment; (2) select the option to display the list of *related documents*; (3) from the list, select the *normative act* that enacted the amendment; and (4) review the text of the amending provision(s) in either *text format* or *image format*.

[Note: The text of the amending *normative act* appears in a new *Display Window*. As a result, you can transition easily between the *Display Window* for the *updated Code* or *updated normative act* and the *Display Window* for the amending *normative act* to compare the language. In addition, by resizing these two *Display Windows*, both can be visible simultaneously. See Frequently Asked Question “How do I resize a Window?”, below.]

Who determined the 45 subject-matter classification categories? These categories are the 45 top-level categories set forth in the Classification of Legislation Fields, as approved and adopted by Parliament (Resolution of Parliament, No. 802, 22 April 1994).

Which classification category includes documents dealing with the subjects of “Insurance”, “Taxes” and “Banking”? These three subjects are included as sub-categories under the category “Legislation on Finance and Credit”. Accordingly, when using the subject-matter classification field to find *documents* dealing with insurance, taxes or banking, select the Legislation on Finance and Credit category.

Which classification category includes documents dealing with the subjects of “Copyrights and Intellectual Property”, “Ownership Rights”, and “Privatization”?

These three subjects are included as sub-categories under the category “Civil Legislation”. Accordingly, when using the subject-matter classification field to find *documents* dealing with copyrights and intellectual property, ownership rights or privatization, select the Civil Legislation category.

Why does it take longer to display image-formatted text compared to text-formatted text? Assuming the same text in both formats, the version in *image format* requires substantially more computer space than in *text format*. The speed at which data is transmitted over the Internet, whether in *image format* or in *text format*, is a function of connectivity bandwidth – the more bandwidth the faster the time. As a result, the total time to display the exact same data in either format depends on the size (computer space) of the data. Because Internet connectivity bandwidth in Azerbaijan is still somewhat limited, the decision has been made to treat each page of a *document* in *image format* as a separate displayable entity for all users accessing the database over the Internet.

How do I copy and save text to my computer? Several steps are required (in Microsoft Windows):

- 1) Select the information to be copied and saved by highlighting it;
- 2) Select “copy” for the highlighted information;
- 3) Select a program for copying the text (for example, Microsoft Word) – a blank screen will appear;
- 4) Select “paste” – the highlighted information is copied into the screen;
- 5) Select “save as” – a dialogue box will appear;
- 6) In the dialogue box, (a) choose the place on your computer where the information is to be saved (for example, on the Desktop), (b) enter the file name that you wish to assign to the information (for example, “Article !0 Civil Code), and (c) enter the format for the information (for example, as a “Word Document”); and
- 7) Enter “save” on the dialogue box once step 6 is completed.

How do I return to a previously viewed screen in an open Window? You first need to make the *Window* containing the *screen* the active *Window*. All *screens* that have been displayed in each *Window* are maintained in a stack, in reverse chronological order – that is, the most recent *screen* is on the top of the stack and the oldest *screen* is on the bottom. The left and right arrow buttons at the top of the *Window* (in Microsoft Windows) on the left hand side permit you to go up or down the stack of previously displayed *screens* in sequential order. The pull-down menu between the two arrow keys permits you to jump a *screen* in the stack.

How do I return to an open Window? All open *Windows* (in Microsoft Windows) are maintained in a stack, in reverse chronological order – that is, the most recently opened *Window*, the active *Window*, is on the top of the stack and the oldest opened *Window* is on the bottom. If an open *Window* is closed, its place in the stack is replaced by the one beneath it. All open *Windows* are indicated in the task bar at the bottom of the screen. A user can go sequentially back to a previously opened *Window* using the

Back button. Or a user can jump to any open *Window* in the stack by selecting it on the task bar. If the number of open *Windows* becomes too many, reducing the information displayed on the task bar for each open *Window*, a user may want to consider closing those are no longer needed.

How do I resize a Window? Open the *Window* (in Microsoft Windows) that is to be resized. If it fills the entire computer screen, reduce its size by positioning the cursor on the middle of the three standard *Windows*' control buttons in the upper right-hand corner of the top line, and then clicking the left mouse button. Once the size is reduced, it can then be resized to any height and width within the confines of the computer screen. To do this, place the cursor on any part of the outer edge of the *Window* until a double arrow is shown. The double arrow will indicate the direction that the *Window* can be resized – vertical only, horizontal only, or both vertically and horizontally at the same (through the diagonal double arrow available only on each of the four corners of the *Window*). Once the desired double arrow appears, click the left mouse button and hold it down while moving the *Screen* to the desired new size. Then release the button.

[Note: Through resized *Windows*, multiple open *Windows* can be displayed on the same computer screen, with the ability to move back and forth between them by positioning the cursor on any part of the *Window* to be the new active *Window* and clicking the left mouse button. This capability may be extremely useful in verifying the accuracy of any *updated Code* or *updated normative act*. See Frequently Asked Question “How do I verify the accuracy of an update Code or an updated normative act?”, above.]

How do I enter multiple entries in the “Subject-Matter Classification “search” field? You need to select each entry one by one. Place the cursor on the first desired entry. Then press the CONTROL key on your keyboard and while pressed, click the left mouse button. Repeat this process for each desired entry.

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

ABOUT THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The United States Agency for International Development (USAID) is an independent United States federal government agency that receives overall foreign policy guidance from the United States Secretary of State.

The United States has a long history of extending a helping hand to those people overseas struggling to make a better life, recover from a disaster or striving to live in a free and democratic country. United States foreign assistance has always had the twofold purpose of furthering the United State's foreign policy interests in expanding democracy and free markets while improving the lives of the citizens of the developing world.

USAID's history goes back to the Marshall Plan reconstruction of Europe after World War Two and the Truman Administration's Point Four Program. In 1961, President John F. Kennedy signed the Foreign Assistance Act into law and created by executive order USAID. Since that time, USAID has been the principal United States agency to extend assistance to countries recovering from disaster, trying to escape poverty, and engaging in democratic reforms.

USAID, as part of its commitment to assist other countries and in recognition of the need in Azerbaijan for improved public access to the law and governance by the rule of law, has developed the Azerbaijan legal database. The USAID contractor for the project is the National Center for State Courts.

For more information about USAID, see www.usaid.gov

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

ABOUT THE NATIONAL CENTER FOR STATE COURTS

The National Center for State Courts (NCSC), pursuant to a contract with the United States Agency for International Development, is the organization that is responsible for creating and implementing the Azerbaijan legal database.

NCSC is a non-profit United States based organization that has been active since the early 1970s in working with courts and legal systems throughout the world to achieve transparency and to improve the administration of justice. In the United States, NCSC's programs focus on providing educational programs and training courses to enable court personnel to become more efficient.

In 1992 NCSC created its International Programs Division to assist courts, legislators, and other legal system components outside of the United States. Through this Division, NCSC provides educational programs, consulting services, leadership training, applied research, and technological innovation, all to help legal systems worldwide strengthen the rule of law, improve the administration of justice and enhance civil society efforts.

For more information about NCSC, see www.ncsconline.org.

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

CONTACT INFORMATION

For General Information, contact

Charles Shapiro, Chief of Party

National Center for State Courts

610-611, J. Jabbarli Street, Caspian Plaza Business Center

Baku, Azerbaijan
Tel: (994 12) 436-8550; Tel/Fax: (994 12) 436-8551
Email: budshapiro@yahoo.com

For Database Content Information, contact

Emil Ibrahimov, Senior Legal Editor
National Center for State Courts
610-611, J. Jabbarli Street, Caspian Plaza Business Center
Baku, Azerbaijan
Tel: (994 12) 436-8550; Tel/Fax: (994 12) 436-8551
Email: emil_ibrahimli@yahoo.com

For Technical Support Information, contact

Khayyam Masiyev, Information Technology Advisor
National Center for State Courts
610-611, J. Jabbarli Street, Caspian Plaza Business Center
Baku, Azerbaijan
Tel: (994 12) 436-8550; Tel/Fax: (994 12) 436-8551
Email: khayyam_masiyev@yahoo.com

[TOP \(Section\)](#)

[TOP \(Screen\)](#)

Azerbaijan Legal Database Terms of Reference for an Internet Service Provider (ISP)

Internet Server equipment is required to distribute the ALPI Legal Database by allowing public access to the database via the Internet. The ISP Hosting Analysis ([*ISP Hosting Analysis.doc*](#)) outlines various options for hosting an Internet server, and concluded that hosting should be performed by a commercial Internet Service Provider (ISP) with the capacity to co-locate a customer-owned server running the Windows Server operating system.

This document identifies the Terms of Reference, i.e. the customer requirements and expectations of an ISP designated to host the ALPI database. These requirements should be negotiated and memorialized in the service agreement between the customer (the ALPI project) and the ISP.

Environmental Considerations

The ISP should host the server in an environment meeting or exceeding equipment (server) manufacturer environmental requirements; such requirements typically include electrical power characteristics, air conditioning etc.

Electrical

Electrical power should be filtered to prevent sags and surges, and highly available to minimize downtime due to transient (or persistent) interruption of electrical service; these requirements are typically met by the ISP providing and maintaining a high-quality Uninterruptible Power Supply (UPS) system for the hosted server.

Air Conditioning

Air supply in the server facility should be filtered of particulate matter and conditioned regarding temperature and humidity (to meet equipment manufacturer requirements); these requirements are typical of precision electronic equipment and are typically met by the ISP enclosing the server room at all times and operating and maintaining an appropriate air conditioned environment;

Physical Security

The ISP host should be responsible for the safety and routine maintenance of the server and the server environment. Physical access to the server room should be restricted to ISP personnel; customers or others should never be permitted access unattended.

Maintenance

Maintenance support provided by the ISP is typically restricted to the server environment rather than to the server itself, e.g. ensuring a continued viable connection of the server to the ISP local- and wide-area network, and continued proper operation of the physical environment. If the server is provided with a trouble indicator (e.g. a flashing light on the front panel indicating some malfunction), the ISP may notify the customer of the

condition but this cannot be relied upon. The customer should be prepared to periodically verify the proper operation of the server by accessing the server (there are third-party services which may help do this by automatically accessing the customer's web site and reporting any inability to access it).

ISP technical representatives should be available by telephone 24x7 for technical support if needed (e.g. to investigate access problems, cycle power or re-boot a server, etc.).

The customer typically accepts responsibility for the "logical" maintenance of the server, e.g. installing, configuring, and maintaining server software (operating system (e.g. Windows Server), database management system (e.g. SQL Server), the database itself, application programs, etc.) applying software "patches" as advised by software vendors, database updates, etc. Some ISP offer Technical Support services on an hourly basis which may be negotiated cover some of these activities, if desired.

Security

Physical security of the internet server is discussed above. Software security against network threats is essential, as well.

Typically an ISP provides some level of protection for hosted servers against internet attacks (e.g. denial of service) and the introduction of computer viruses. Firewalls and other methods of filtering and scanning incoming network traffic are the methods used.

At the same time, however, the server owner must configure security-related parameters on the server itself, e.g. access authorizations and privileges for the types of users expected. If the ISP provides limited firewall protection, the server itself may be configured with a more restrictive firewall. Appropriate network security must be negotiated between the ISP and the server owner.

In particular, for the ALPI Internet Server, server administration privileges must be carefully protected, and typical (public) users should have only read-access to the Legal Database and no access to other files or functions on the server.

Installation/De-Installation

Services for installation and de-installation of the physical server within the ISP server room should be provided within a reasonable timeframe (e.g. 1 to 2 business days of a customer request). Upon de-installation, the server should be returned to the customer in good condition.

Customer Access to Server

Remote access to the internet server by client technical support is necessary for maintenance and should be available via the Internet 24 hrs/day. If physical access to the server is needed (e.g. to re-boot the server), ISP technical support should be available by telephone 24 hours/day to perform such tasks.

Some periodic maintenance may not be efficient to perform over the internet. Local access to the server by customer PC attached to the ISP's high-speed local network should be available (typically during normal business hours) for high volume data uploads or other maintenance.

Physical access to server room may be reasonably restricted (there should be no unattended customer access permitted).

General Internet Access

The whole point of server hosting is to make the contents of the server available to the client's target audience (the general public in the case of the ALPI project). The ISP should engineer for uninterrupted network availability (uptime) to customers; redundant connections to the internet backbone are one strategy to help ensure availability. The ISP should guarantee network uptime (> 99.5% uptime guarantee) and provide a means of measuring or reporting uptime delivered.

The ISP is also responsible for managing bandwidth (network capacity) within its internal network; there should also be a minimum access bandwidth guaranteed (256kbps minimum) or 50% of the agreed shared bandwidth to be provided.

Performance monitoring

The ISP should provide a facility to monitor performance. For example, the ISP may provide client access to reports on internet usage including statistics on up-time, traffic to and from the server, identification and count of (unique) users, etc. In the absence of a user-authentication capacity within the client application, a list of unique IP addresses accessing the server, time of use, and the amount of data downloaded, etc. may be provided. Such performance statistics assist in measuring both the performance of the ISP and the performance of the customer's application.

Notice

The ISP should provide adequate lead time for any change in terms of the service agreement.

Review of the ADANET service agreement:

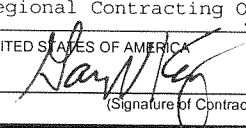
(ALPI Project (Emil) translation attached: [The CONTRACT_colocation_SON.doc](#))

- Overall, the service agreement (SA) seems reasonable;
- The SA anticipates a 1-unit (1U) server be supplied (aka "blade server"); in fact, the proposed ALPI server is a 2U model, and the ISP orally agreed to accept this. (This is basically a "real estate" issue pertaining to limited space in ISP-owned rack cabinets.);
- Firewall protection (network security) should be negotiated; The ALPI server must be configured for security; *It is recommended that BM Group be contracted to do so, if it is not already within the scope of work of their development contract;*
- The ISP demonstrated some performance monitoring reports, but do not mention them in the SA; ALPI project personnel should become familiar with the capabilities provided and generate the reports regularly and retain them to monitor growth of the user base;

Terms of Reference for an ISP

- The contract term is specified as 1 year; perhaps this may be changed to a month-to-month basis by negotiation although a higher monthly price may be expected and/or a charge for installation may be imposed. Alternatively, the ALPI project should expect to transfer the contract and/or payout the balance at the end of the project.

ATTACHMENT IV

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			BPA NO.	1. CONTRACT ID CODE	PAGE 1	OF PAGES 1
2. AMENDMENT/MODIFICATION NO. 03		3. EFFECTIVE DATE See Block 16C		4. REQUISITION/PURCHASE REQ. NO. 112-05-089		5. PROJECT NO. (If applicable)
6. ISSUED BY USAID/Caucasus Regional Contracting Office Sheraton Metechi Hotel 20 Telavi Street Tbilisi 0103 Georgia		7. ADMINISTERED BY (If other than Item 6)		CODE		
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) National Center for State Courts (NCSC) 2425 Wilson Boulevard Suite 350 Arlington VA 22201				<div style="display: flex; align-items: center;"><div style="width: 20px; text-align: center;">(X)</div><div>9A. AMENDMENT OF SOLICITATION NO.</div></div> <div style="display: flex; align-items: center;"><div style="width: 20px; text-align: center;">X</div><div>9B. DATED (SEE ITEM 11)</div></div> <div style="display: flex; align-items: center;"><div style="width: 20px; text-align: center;">X</div><div>9C. MODIFICATION OF CONTRACT/ORDER NO. AEP-I-00-00-00011-00 810</div></div> <div style="display: flex; align-items: center;"><div style="width: 20px; text-align: center;">X</div><div>9D. DATED (SEE ITEM 13) 06-09-2004</div></div>		
CODE		FACILITY CODE				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.						
12. ACCOUNTING AND APPROPRIATION DATA (If required) N/A						
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.						
<div style="display: flex; align-items: flex-start;"><div style="width: 20px; text-align: center;">(X)</div><div>A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.</div></div>						
<div style="display: flex; align-items: flex-start;"><div style="width: 20px; text-align: center;">X</div><div>B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).</div></div>						
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
D. OTHER (Specify type of modification and authority)						
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.						
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this Modification is extend the term of the Task Order for six months at no additional cost to the US Government. The new completion date is April 9, 2006. [End of Modification]						
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.						
15A. NAME AND TITLE OF SIGNER (Type or print) UNILATERAL				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Gary V. Kinney Regional Contracting Officer		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)		16C. DATE SIGNED 09-08-2005

August 8, 2005

Mr. Gary V. Kinney
Regional Contracting Officer
USAID/Caucasus/Tbilisi
Sheraton Metechi Palace, 5th floor
20 Telavi Street
Tbilisi, 0103, Georgia

Ms. Livia Mimica
Cognizant Technical Officer
USAID/Azerbaijan
The Landmark Building
96 Nizami Street
Baku, 1007, Azerbaijan

Subject: No-Cost Extension of the Azerbaijan Legal Database (ALPI) Project
Reference: Task Order 810 under Contract No. AEP I-00-00-00011-00

Dear Mr. Kinney and Ms Mimica:

The National Center for State Courts (NCSC) requests a no-cost extension of the ALPI Project under the subject Task Order, from its currently scheduled termination date of 9 September 2005 to 30 April 2006. The Project's objective of transparency of the governing law of Azerbaijan through broad public access is critical to achieving governance under the rule of law and as an initial step toward judicial independence and eventual justice sector reform. The momentum of the ALPI Project, which is now almost complete in its technical aspect, should not be lost due to an imminent expiration date.

The attached Plan, in outline form, describes the ALPI Project's overall objective, the strategy, the database requirements, and the current situation. The Plan then sets forth the critical issue facing the Project (i.e., sustainability), the alternative database distribution services that could be offered by the Government of Azerbaijan (GoAZ) and by private sector organizations once the Project ends, the critical needs that are necessary to achieve the Project's long-term objective, our recommendation to address these critical needs, the activities that will be undertaken to implement the Plan, and our management plan to assure that our goals are achieved. A Gantt chart accompanies the Plan.

In essence, the ALPI Project has proceeded as scheduled, but with one major exception. The Ministry of Justice (MoJ), the principal designated counterpart agency, has been unwilling to commit to being the sustaining organization. The success of the ALPI Project, in large part, is dependent upon having the GoAZ, preferably through the MoJ, become a stakeholder in providing free public access to the official governing laws of the country. The alternative is to have one or more private sector organizations maintain,

update and distribute all, or part, of the database. The alternatives are not mutually exclusive. Indeed, the ideal solution is to have both the GoAZ and one or more private sector organizations maintaining, updating and distributing all or part of the database in a competitive and complementary manner.

At present there is no organization, either within the GoAZ or in the private sector, that is totally capable of sustaining the database. The NCSC/Baku office is in the final stages of completing the retrospective database content and releasing it over the Internet and on CD-ROMs. The proposed extension, as set forth in the Plan, is designed to build a user base and demand for the database by having the NCSC/Baku office continue to maintain, update and distribute the database, and at the same time identify, train and evaluate all potential organizations that are candidates for sustaining the database.

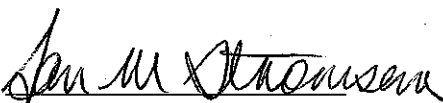
The principal thrust will be to encourage the GoAZ, through the MoJ, to become an active stakeholder and at the same time, have in place by the end of the Project one or more private sector organizations to maintain, update and distribute all or part of the database. The goal is to ensure that by the end of the Project's extension period, the database will be maintained and updated on a continuous basis by one or more sustaining organizations, with the public having access to it over the Internet and on CD-ROM.

This extension request is at no-cost. The project budget is \$1,197,189. Our expenditures through 30 June 2005 are \$661,620, or slightly more than \$52,000 a month on average. Our unexpended balance as of 30 June 2005 is \$535,569. This balance is adequate to cover the costs of the projected activities over the ten-month period of 1 July 2005 through 30 April 2006 (a monthly average of approximately \$53,500).

As time is of the essence, we request that you give this matter your most immediate attention.

If you have any questions, please do not hesitate to contact either Charles Shapiro, the Chief of Party, at budshapiro@yahoo.com, or Norma Parker, the Project Director, at nparker@ncsc.dni.us.

Sincerely,



Jan M. Stromsem
Executive Director
International Programs Division
National Center for State Courts

AZERBAIJAN LEGAL DATABASE (ALPI) PROJECT

PROPOSAL FOR EXTENSION THROUGH APRIL 2006

Long-Term Project Objective

- To achieve improved access to the law

Strategy

- Create and maintain an “official” legal database in which
 - Documents in the database are current, complete and accurate, and
 - Database is distributed on a timely, easily accessible and readily available basis

Database Requirements

- Content
 - “Must” include all framework legal documents, such as laws, Presidential Decrees, etc. (hereafter “framework documents”)
 - Each framework document is available in text and image format
 - Each framework document is a retrievable entity in the database
 - Published in the official *Toplusu* and the *Bullitini* monthly digests
 - Publication of *Toplusu* and the *Bullitini* began in July 1997, and includes framework documents issued since adoption of the Constitution in 1995
 - Included in ALPI Project initial Work Plan
 - “Highly Desirable” to include current, updated versions of the governing Codes (hereafter “codified Codes”)
 - Each codified Code is available in text format only
 - Each codified Code is a retrievable entity in the database
 - Included in ALPI Project initial Work Plan
 - “Desirable” to include the Azeri version of each framework document issued between independence in 1991 and before adoption of the new Constitution in 1995
 - Each framework document is available in text and image format
 - Each framework document is a retrievable entity in the database
 - Not included in ALPI Project initial Work Plan, but in progress
 - “Desirable” to include current, updated versions of framework documents (hereafter “codified framework documents”)
 - Each codified framework document is available in text format only
 - Each codified framework document is a retrievable entity in the database
 - Not included in ALPI Project initial Work Plan
- Access
 - “Must” provide a means to enable a user accessing the database to find, retrieve and display the documents comprising the database content
 - Included in ALPI Project initial Work Plan
- Distribution
 - “Must” distribute the database content with the means for accessing that content over the Internet on a 24 hour/7 day a week basis
 - Included in the ALPI Project initial Work Plan

- “Must” distribute the database content, or some significant subset of the database content, with the means for accessing that content on CD-ROMs on a periodic basis
 - Included in the ALPI Project initial Work Plan
- “Highly Desirable” to distribute on CD-ROM the official version of the framework documents
 - In image format
 - With the exception of the National Library, no complete set of *Toplusu* or the *Bullitini* available in the country
 - Can be created as a by-product of the database, with a simple navigational tool, the Table of Contents, to find and retrieve the documents
 - Not included in ALPI Project initial Work Plan, but in progress

Current Status: Database Content, Access and Distribution¹

- NCSC has obtained complete sets of *Toplusu* and the *Bullitini*, and has converted all framework documents published in them to both text format and image format in accordance with the required specifications for accuracy and formatting
 - Ongoing operation to add prospective framework documents to the database on a current, complete and accurate basis
- NCSC office has obtained a hard copy of most, but not all framework documents issued between 1991 and 1995, and has converted them to both text format and image format in accordance with the required specifications for accuracy and formatting
 - Acquisition and conversion of remaining documents in progress
 - Projected completion date is August 2005
- NCSC office has completed the codification process for 16 of the existing 17 Codes
 - Includes all amendments issued through the end of June 2005
 - Last remaining Code, the Housing Code, will be completed within a month after an official copy of the Housing Code as initially adopted in 1983 is obtained
 - Having difficulty obtaining an official version
 - Ongoing operation to update the existing codified Codes
- NCSC has not allocated any resources to the creation and maintenance of codified framework documents
 - Institutional capacity, however, is present as a result of the process for creating and updating the codified Codes
- NCSC has created a means for accessing the documents comprising the database content
 - Each document has an associated searchable metadata record – “metadata” is data about each document, such as its title, its issue date, its effective date, etc.
- NCSC is in the process of completing the data entry and verification of the metadata for most of the existing documents comprising the database content
 - Projected completion date is August 2005
 - Once completed, ongoing operation to create and verify new metadata records for prospective framework documents, and to update and verify existing metadata records for codified Codes and codified framework documents
- NCSC has developed and implemented the software required to create, maintain and update the database content and the metadata records

¹ For additional details, see the Project’s most recent quarterly report, submitted 15 July 2005

- NCSC is in the process of completing the software for accessing the database over the Internet and on CD-ROMs
 - Projected completion date is August 2005
 - Once completed, the database can be released for access over the Internet and on CD-ROM – projected for September 2005
- NCSC has produced an electronic image version of *Toplusu* (1997-2004) on CD-ROM as a by-product of the database
 - Distributed for installation on several public access computers supported by such organizations as ABA-CEELI, NDI, and Transparency International
 - To be updated monthly to coincide with the publication of the printed version of *Toplusu*
 - Institutional capacity exists for producing an electronic image version of the *Bullitini* on CD-ROM

Critical Issue

- Sustainability
 - ALPI Project is scheduled to end 9 September 2005
 - Project's long-term objective of improved access to the law is necessary to achieve transparency and governance under the "Rule of Law"
 - MoJ, the official repository of the governing law of Azerbaijan, has expressed a desire to sustain the database, but
 - MoJ has not been willing to make the necessary senior management commitment to achieve sustainability
 - MoJ has not demonstrated the institutional capacity to maintain, update and distribute the database
 - The Government of Azerbaijan (GoAZ), through the MoJ and perhaps other GoAZ organizations, is a necessary stakeholder to support the distribution of an "official" database (see the Database Services Matrices, below)
 - One or more organizations in the private sector appear to be ready, willing and, to one degree or another, able to distribute all, or part of the database
 - Will require additional time to identify all viable candidates, to train them in all aspects of the project (update, maintain and distribute the database), and to have them submit a plan for sustaining all or part of the database and for providing database services to the public (see the Database Services Matrices, below)
 - Self-sustaining ability will depend on the type of organization (for-profit vs. not-for-profit) and how it structures its services between free-based access and fee-based access
 - Unlikely that the database will be the "official" database without some form of collaborative or cooperative arrangement with the GoAZ

Database Distribution Services Matrix

- The tables below show the range of database services that could be offered by the GoAZ and by private sector organizations, based on software functionality (Browse² vs. Search³) to find and retrieve database content and whether the service would be free or at some cost

² Pre-structured (or pre-defined) search, such as through a Table of Contents, to identify and retrieve documents

³ Full-search functionality, based on data in the metadata record fields

- Not all services need be provided by the GoAZ or a private sector organization (e.g., the GoAZ could limit its Internet service to framework documents in image and text format, retrievable only through Browse functionality)

INTERNET DISTRIBUTION

		BROWSE		SEARCH	
Content	Requirement	GoAZ	Private Org	GoAZ	Private Org
Framework <ul style="list-style-type: none"> • Image • Text 	Must Must	Free Free	Free Free	Free Free	Cost Rec Cost Rec
Codified <ul style="list-style-type: none"> • Codes • Framework 	Very Hi Hi	Free Free	Cost + Cost +	Free Free	Cost ++ Cost ++

CD-ROM DISTRIBUTION

		BROWSE		SEARCH	
Content	Requirement	GoAZ	Private	GoAZ	Private
Framework <ul style="list-style-type: none"> • Image • Text 	Must Very Hi	Cost Rec Cost Rec	Cost + Cost +	Cost Rec Cost Rec	Cost ++ Cost ++
Codified <ul style="list-style-type: none"> • Codes • Framework 	Very Hi Hi	Cost Rec Cost Rec	Cost ++ Cost ++	Cost Rec Cost Rec	Cost ++ Cost ++

Critical Needs

- Need to have GoAZ become a stakeholder, preferably through the MoJ, and provide, at a minimum, the minimum level of database distribution services
 - Internet – framework documents in text and image format, with Browse search and retrieval functionality
 - CD-ROM – framework documents in image format, with Browse search and retrieval functionality
- Need to have private sector organizations in place to sustain the database
 - In event that GoAZ declines to become a stakeholder
 - To offer distribution services that complement and supplement any level of database distribution services undertaken by the GoAZ

Recommendation

- Extend the ALPI Project through April 2006
 - No cost extension
 - Project Budget – \$1,197,189
 - Expenditures (06/09/04-6/30/05) – \$661,620
 - Projected Expenditures (07/01/05-4/30/06) – \$535,569
- Goals
 - Build market acceptance and market demand
 - Enhance the database by including codified framework documents

- Evaluate MoJ's institutional capacity and management commitment to sustain all, or any part of the database
- Identify and license qualified private sector organizations to sustain all, or any part of the database

Major Activities during Extension Period – September 2005-April 2006 (see the attached Gantt chart for timeline)

- NCSC maintains, updates and distributes the database over the Internet on a 24/7 basis and on CD-ROM on a periodic basis – start September 2005; end April 2006
 - Provide full range of Internet and CD-ROM services
 - Build market demand and active user base, and in the process build demand for sustainability
 - Engage support by the Ministry of Communications and Information Technology “e-government” initiative to build GoAZ support
 - CD-ROM version targeted for users that do not have access to the Internet (see next bulleted item for potential modification)
- NCSC distributes on a monthly basis an updated version of the CD-ROM image product for *Toplusu* and the *Bullitini* – start September 2005; end April 2006
 - Assess distribution alternatives – February/March 2006
 - Distribution of CD-ROM image product, by itself, may be enough to meet the goal of improved access to the law in public access facilities
 - Distribution of CD-ROM image product, when coupled with the compilation and distribution on CD-ROM of the documents comprising the database in text format and their associated metadata records may obviate the need to include the framework document images as part of the CD-ROM database product
- NCSC codifies framework documents – start September 2005; end January 2006
- NCSC trains and supports Public Users – start September 2005; end April 2006
- NCSC trains MoJ in adding framework documents to the database in text and image format, in entering, editing and verifying metadata, in codification process, and in distribution of the database – start September 2005; end October 2005
- MoJ maintains, updates and distributes the database in a prototype Workflow User environment to determine whether MoJ has the institutional capacity – start October 2005; end February 2006
 - Requires MoJ agreement, with specific benchmarks
 - Requires installation of existing database and software on equipment at MoJ
 - Requires MoJ to distribute the database over the Internet on a Virtual Private Network on a test basis (not available for public access) – several distribution alternatives could be tested – e.g.:
 - Distribute the entire database with all search and retrieval functionality (i.e., Browse and Search), using in-house resources
 - Distribute the entire database with all search and retrieval functionality (i.e., Browse and Search), using out-sourced resources
 - Distribute only framework documents with limited search and retrieval functionality (i.e., Browse only), using in-house or out-sourced resources
- NCSC assesses MoJ institutional capacity to maintain, update and distribute the database – start February 2006; end March 2006
 - If MoJ has demonstrated that it has the required institutional capacity and if, and only if, MoJ senior management has indicated its commitment to sustaining the database, then grant IPR license to MoJ pursuant to a binding legal agreement that imposes performance standards on MoJ

- NCSC identifies, trains, and evaluates potential private sector organizations that are candidates for sustaining the database – start September 2005; end March 2006
 - Obtain expressions of interest (September 2005)
 - Provide training (October 2005) – same level of training as provided to MoJ (see above)
 - Grant trained organizations with a limited Intellectual Property Rights (IPR) license to use the database and software, to enable each organization to develop its proposed plan for sustaining all, or any part of the database (November 2005)
 - Receive proposals for distributing all, or any part of the database (January 2006)
 - Evaluate proposals and determine qualified organizations (February/March 2006)
 - Grant unlimited IPR licenses to qualified organizations to permit them to implement their approved plans (March 2006)
- Sustaining organization(s) begin operations – start April 2006
- NCSC/Baku office ceases to operate and all assets disposed – end April 2006

Project Management during Extension Period

- COP Charles Shapiro will continue to have overall management responsibility
 - Present through October 2005 – full-time in Baku
 - Database distribution over the Internet and on CD-ROM ongoing operation
 - Training program for public users ongoing operation
 - Codification of framework documents in progress
 - MoJ and potential private sector organizations trained
 - October 2005 through mid-February 2006 – part-time (approximately 25%) in USA
 - Local staff, headed by Office Manager/Administrative Assistant, Lala Adilova, and Senior Legal Editor/Translator, Emil Ibrahimov, have demonstrated a strong capability to handle all day-to-day NCSC/Baku office operating matters on an efficient and professional basis
 - Local staff will report to the COP through the Internet via email and Instant Messaging
 - Mid-February 2006 through end of March 2006 – COP, with NCSC technical support team, returns to Baku to complete assessment of MoJ capacity and management commitment, to determine qualified private sector organizations, and to develop terms and conditions under which each qualified sustaining organization will operate
- Program management will be assisted by NCSC Arlington-based Project Director, Norma Parker, and Program Manager, Alexey Proskuryakov
 - Each will return at least once during the extension period to assist in planned activities, and to close the Baku office in April and oversee the disposition of assets